

FEDERAL BUREAU OF INVESTIGATION

SURREPTITIOUS ENTRIES

PART 2 OF 23

FILE NUMBER : 62-117-166

FDIPA ACCOUNTING COVER SHEET

Main Bureau File 62-717166 Section 2

Actual pages 245 Released 187 Withheld 58

Withheld pages (58) are:

Number of Pages:

20

22

6

70

Exemptions cited:

611

63

**Referrals to other
Government agencies:**

DEPT. OF JUSTICE, OFFICE
INFORMATION AND PRESS

DEPT. OF JUSTICE, CIV.
RIGHTS DIV.

Others:

Requestor

Subject

FILE # 62-117166

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.

- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
_____ as the information originated with them. You will
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- ☒ The following number is to be used for reference regarding these pages:

62-117166-25

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FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) _____ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

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CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-117166-25X

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Date of Mail 07/13/76

Classification of Mail:

- ☒ Unclassified
☐ Confidential
☐ Secret
☐ Top Secret
☐ SCI

Mail Category

Letter _____ Airtel _____
 LHM _____ Memo X
 Report _____ Other _____
 Teletype _____

Subject

Surreptitious Entries
~~TECHNICAL SURVEILLANCE GENERAL~~

Originator of Material FBIHQ

This serial has been removed and placed in the Special File Room of Records Branch.

Authority - 62-116065

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3-16-82 BY SP4JRM/cal
62-117166-25X1

File Number

~~66-8160-3883~~

PERMANENT SERIAL CHARGE-OUT

Date of Mail 7/14/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION
HERE
DATE _____ BY _____

Subject JUNE MAIL- *Suspicious Entries* TECHNICAL SURVEILLANCES - GENERAL

Removed By 309 97 AUG 17 1976

File Number 62-117166-25X2
66-8160-3879

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-10-82 BY SP4JRM/cal

Permanent Serial Charge Out

~~CONFIDENTIAL~~Date of Mail 7/15/76

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

See File 66-2554-7530 for authority.

Class. & Ext. By SP4JRM/cal
Reason-FCIM II, 1-2.4.2
Date of Review 7-15-96
3-16-82

Subject JUNE MAIL - *Surreptitious Entries*
TECHNICAL SURVEILLANCE - GENERAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Removed By

³⁰⁹
97 AUG 4 1976

File Number

62-117166-25X3
~~66-8160-3884~~~~CONFIDENTIAL~~

Permanent Serial Charge Out

1 - . Adams
1 - L. Bassett
1 - J. A. Mintz
1 - T. W. Leavitt
1 - R. L. Shackelford

The Attorney General

July 16, 1976

Director, FBI

1 - F. J. Cassidy
1 - [REDACTED]

**(SKE)
(LINK)**

SURREPTITIOUS ENTRIES

Reference is made to your memorandum of April 20, 1976, captioned: "Socialist Workers Party et al. v. Attorney General, et al. (S.D.N.Y.) 73 CIV 3140," in which you ask whether any public or executive session statements, press releases, surreptitious entries, were made by Department personnel (including Bureau personnel) which may need to be retracted and/or clarified.

We have reviewed public and executive session statements made by Bureau personnel concerning surreptitious entries and have concluded that, on the basis of information available to FBI Headquarters (FBIHQ) at the time of such remarks, those statements were accurate and do not require retraction. Further, we believe that in view of recent statements by the Bureau to the press, in connection with surreptitious entries, there is no need to clarify past statements in this regard.

As you know, our inquiries in response to Departmental and Senate and House Select Committees' requests have, from time to time, shown newly discovered information relating to entries performed by Bureau personnel. We have promptly advised the Department on the occasion of each discovery.

We have made an effort to be as accurate as possible in our statements concerning surreptitious entries. Unfortunately, procedures followed with respect to recording information relating to entries were such that it has been most difficult to identify the activity in our files. Further, documents pertaining to surreptitious entries were not maintained in normal record channels, thereby hampering our efforts to respond accurately to questions posed to us.

Asst. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. 56-8160
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. (10) _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

MAILED 2
JUL 20 1976
FBI

REC 32
ST. 115

JUL 21 1976

SEE NOTE PAGE 2

MAIL ROOM ☐ TELETYPE UNIT ☐

56 JUL 26 1976

FBI/DOJ

DATE 3-1-82 BY SP4JRM/cal

RECEIVED
JUL 21 1976

RECEIVED

**(SKE)
(LINK)**

62-117160-25X4

The Attorney General

With respect to statements made by Department personnel, Mr. Douglas R. Marvin, Special Assistant to the Attorney General, was contacted on June 21, 1976, by Inspector James C. Farrington of the Bureau's Legal Counsel Division. Mr. Marvin advised that the FBI should respond to questions raised in your April 29 memorandum as they relate to Bureau personnel, and that he, Mr. Marvin, would obtain the pertinent information as it relates to the Department.

NOTE:

See memorandum A. B. Fulton to Mr. T. W. Leavitt, 7/13/76, captioned "Surreptitious Entries," prepared by HWP [REDACTED]

(6)(6)
(7)(C)

[Handwritten signature]

[Handwritten signature]

TWL/SD

Date of Mail 7/23/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE~~ - GENERAL *Interceptions Entries*

Removed By

³⁰⁹
97 AUG 17 1976

File Number

cal
~~62-117166-25X5~~
~~66-8160-3885~~

Permanent Serial Charge Out

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : MR. CALLAHAN

DATE: 7/6/76

FROM : J. J. O'CONNELL

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION

Remymemo 6/29/76 captioned as above listing the names of 14 Special Agents for possible use on the above investigation.

This is to advise that all 14 Agents reported at 3:00 p. m., 7/1/76, Room 7142; were advised of the nature of the assignment, and thereafter interviewed by William L. Gardner of the Department, after which the following individuals were selected to work on this investigation:

ALL
(6X6)
(7X6)

[REDACTED] Cincinnati Field Office
[REDACTED] Savannah Field Office
[REDACTED] Cincinnati Field Office
[REDACTED] Indianapolis Field Office
[REDACTED] Tampa Field Office
[REDACTED] Atlanta Field Office
[REDACTED] Jackson Field Office
[REDACTED] Mobile Field Office
[REDACTED] Jackson Field Office

Also selected was SA [REDACTED] External Affairs Division, FBIHQ.

These individuals were instructed to report for duty 7/6/76 under the supervision of Mr. Richard E. Long.

REC 12

JJO (13)

1-Mr. Richard E. Long

1-Personnel Files of above-named Special Agents

ST-113

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JRM/cal



5010-108

56 AUG 05 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PERC REC UNIT
FBIHQ

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Files & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgnt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

TO : Mr. Adams

ALL (6/16), O/KC

DATE: 6/30/76

FROM : R. E. Long

Investigation Coordinator

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION

This is to request that Special Agent [REDACTED] presently assigned to the External Affairs Division, be temporarily assigned to the special unit handling surreptitious entries. Special Agent [REDACTED] will be assigned the task of coordinating a specific facet of this investigation.

RECOMMENDATION:

That Special Agent [REDACTED] be temporarily assigned to this unit.

REC 12

ST-113

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-7-82 BY SP4JRM/cal

- 1 - Mr. Moore
- 1 - Mr. Adams

RE: [REDACTED] (6)



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PERS. REC. UNIT
FBI/DOJ

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. T. W. Leavitt
1 - Mr. R. E. Long

Assistant Attorney General
Civil Rights Division

July 8, 1978

Director, FBI

PROTECTION OF NATIONAL
SECURITY INFORMATION
EXECUTIVE ORDER 11652

ALL (b)(6), (b)(7)(C)

Reference is made to your letter dated June 25, 1976, captioned "Surreptitious Entry Investigation," wherein you advised that any communications sent by me to any field office or through Headquarters pertaining to the substance of the Civil Rights Division investigation be reviewed by you in writing prior to their dispatch.

Enclosed for your information is a copy of an airtel I propose to send to the New York Office. I request that you expedite approval of this communication as it deals in an area involving the safeguarding of national security information.

Also enclosed is a copy of a teletype directed to me from the Assistant Director in Charge of our New York Field Office dated June 29, 1976, captioned "Surreptitious Entries." This teletype is the predication for the airtel I desire to send to the New York Office.

The enclosed teletype lists 15 documents which have been classified by the New York Office of this Bureau. I request you insure copies of these documents classified by Agents and Attorneys William E. Gardner and Steven Morn from our New York Office be immediately classified. For your information, I am taking steps to insure copies of these documents in the possession of the Inspection Division of this Bureau are also classified.

Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____
Off. of the Inspector General _____

62-316655

~~CONFIDENTIAL NATIONAL SECURITY INFORMATION~~

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 3-27-82 BY SP4M/cal

NOT RECORDED

191 JUL 27 1976

84 SEP 20 1976

Assistant Attorney General
Civil Rights Division

When you have approved the enclosed communication and the New York Office has forwarded to me copies of the classified documents, a decision will be made by the FBI Document Classification Officer as to whether the classifications in every instance may be upheld. Because of the importance of this matter to the Civil Rights Division criminal investigation, any questions relating to the validity of the classification will be referred to the Department Review Committee which has the responsibility in this area.

Enclosures - 2

[illegible]

Airtel

To: SAC, New York

From: Director, FBI (62-116065)

PROTECTION OF NATIONAL
SECURITY INFORMATION
EXECUTIVE ORDER 11652

ReNYtel 6/29/76, captioned "Surreptitious Entries."

Expeditionously forward items numbered one through 14 to FBIHQ.
In the event any explanations are required or deemed pertinent relating to
the reasons for classification of these documents, include details in your
cover communication.

3-1-82

SP4 JRM/cal

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Leavitt *WJL*

FROM : R. E. Long *RL*
Investigation Coordinator

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION

DATE: 7/13/76

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. *WJL* _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

Inquiry was made of the Finance and Personnel Division regarding where copies of FD-255 (form for recommending commendations and incentive awards, etc.) are filed at Headquarters. They advised that copies of FD-255 are filed in the administrative file of the field office at FBI Headquarters in the majority of the cases. If the case involved is a sensitive security matter, it is filed in the Intelligence Division case file.

Do you file FD-255 in the case file in all cases or are they filed in a separate file? If so, you are requested to furnish any list, file, card index system or other records you maintain, formally or otherwise, on matters dealing with incentive awards and commendations for field and headquarters personnel.

We appreciate your furnishing this information as expeditiously as possible.

1 - Mr. Adams

-4-

EX-101

REC-13

28

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JRM/cal



5 AUG 10 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Adams

DATE: 7/27/76

FROM : Legal Counsel

SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION
SURREPTITIOUS ENTRIES

DATE 3-1-82 BY SP4 Jem/Cal

PURPOSE:

To advise of receipt of information indicating the Department is expanding the scope of its investigation into surreptitious entries.

SYNOPSIS:

Authority obtained to notify present and former Agents who are subjects of above inquiry they are released from their employment agreement in order to discuss this with their counsel. Attorney representing a former Special Agent advised he was informed by Department that they intend to go back to 1940 and look into all possible violations of civil rights by Bureau Agents.

RECOMMENDATION:

That this matter be discussed with Assistant Attorney General, Civil Rights Division, to clearly establish the extent of their inquiry into this matter.

APPROVED: [Signature]
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____

- 1 - Mr. Mintz
- 1 - Mr. Long

(4)

REC-104
BILL EARDNER of CRD contacted by FARRINGTON 8/2/76 and advised their inquiry goes beyond surreptitious entry let was unwilling to specifically advise of agents. However, indicated would discuss undercover roles of agents. MEETING then set up with Mr. J. Adams EARDNER + FARRINGTON 8/3/76 at which time one concerns over security of data on past general matters were discussed. He advised us of procedures that were implemented to insure security of such info.



84

7 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memo to Mr. Adams
Re: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION
SURREPTITIOUS ENTRIES

DETAILS:

ALL
(4/6)
(2/6)
(7/12)

Legal Counsel to Mr. Adams memo of 7/15/76, captioned as above, obtained authority to telephonically notify present and former Agents who are subjects of Civil Rights Division surreptitious entries investigation they are released from their employment agreement so they could discuss this matter with their counsel. This telephonic notice was to be followed by letter from the Director. Legal Counsel Division has been handling this matter and on 7/26/76, former SA [REDACTED] Vernon, Connecticut, was contacted and advised he was released from his employment agreement for the purpose of discussing the matter of surreptitious entries with his attorney.

At 4:30 p. m. , Legal Counsel Division was contacted by [REDACTED] attorney, a [REDACTED] of Hartford, Connecticut, who advised he represented former Agent [REDACTED] and that he had been informed of our call notifying [REDACTED] he was released from his employment agreement. [REDACTED] pointed out that our telephonic notice mentioned surreptitious entries. He stated that he had been informed by William Gardner of the Civil Rights Division that Gardner intended to go back as far as 1940 and intended to learn of any and all possible violations of citizens' civil rights by FBI Agents. [REDACTED] advised he was concerned regarding the inquiry and desired to know if the FBI was aware of the extent of this inquiry since we had only mentioned surreptitious entries to his client. [REDACTED] was advised that we were under the impression this inquiry was limited to surreptitious entries and then only those of recent years. He was informed this would be brought to the attention of the Director and he was thanked for bringing this to our attention.

(6/5) [REDACTED]

[REDACTED] At any rate it is believed this matter should be promptly discussed with the Civil Rights Division to clearly establish the scope of this investigation.

gcf

Airtel

1 - Mr. Callahan
1 - Mr. Jenkins
1 - Mr. Adams

July 19, 1976

To: ADIC, New York

PERSONAL ATTENTION

From: Director, FBI

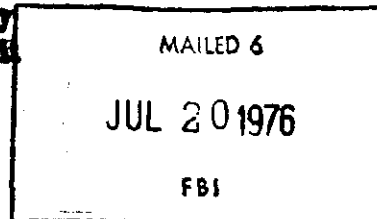
1 - Each Assistant
Director
1 - Mr. Farrington

SURREPTITIOUS ENTRY INVESTIGATION

Pursuant to instructions received from Assistant Attorney General J. Stanley Pottinger, Civil Rights Division, no one in your office should communicate or discuss with any Agent who is the subject of captioned inquiry any matter concerning this investigation unless a written communication to these Agents has been approved beforehand by Mr. Pottinger. Of course, an Agent who is the subject of this inquiry and freely chooses to initiate a conversation with a colleague or other Bureau personnel, may do so and is not subject to this rule.

According to Mr. Pottinger, because we are dealing with very sensitive matters involving right to counsel, their concern and what they are trying to avoid is a situation in which an Agent receives a directive, an order, or advice or any other communication, formally or informally, which could cause him not to feel free to cooperate in this investigation consistent with his constitutional safeguards.

2 - Albany
2 - Detroit



EX-106

REC-36

29

NOTE: This was telephonically read to Mr. Pottinger at 4:30 p.m. on Friday, 7/16/76, and he authorized the sending of this communication.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

JCF

APPROVED:

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir.: _____

Adm. Serv. _____

Ext. Affairs _____

Fin. & Pers. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Legal Coun. _____

Plan. & Eval. _____

Rec. Mgnt. _____

Spec. Inv. _____

Training _____

23 JUL 22 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-7-82 BY SP4 JRM/cal

MAIL ROOM

TELETYPE UNIT ☐

51 AUG 9 1976

100 50 P. 15 W. 10

FBI/DOJ

Date of Mail 7/31/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

MAILED
JUL 30 1976
MAIL 3-10-82
SP4 JRM/cal

Subject JUNE MAIL - *Substitution Entries* TECHNICAL SURVEILLANCE - GENERAL

Removed By 97 JUL 30 1976

File Number 62-117166-29X
~~66-8160-3881~~

Permanent Serial Charge Out

Date of Mail 222 27 81

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - *Interceptions Entries* ~~TECHNICAL SURVEILLANCES - GENERAL~~

Removed By

³⁰⁷
97 AUG 17 1976

File Number

62-117166-29X1
~~66-8160-3892~~

Permanent Serial Charge Out

Date of Mail 5/23/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL *Sumptuous Entries*
~~TECHNICAL SURVEILLANCES - GENERAL~~

Removed By 309
97 AUG 17 1976

File Number

62-117166-29X2
~~65-8162-3889~~

Permanent Serial Charge Out

Date of Mail JULY 23, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Subversive Entries*
JUNE MAIL-TECHNICAL SURVEILLANCE--GENERAL

Removed By *F321*
79 SEP 16 1976

File Number *62-117146-29X3*
~~66-8160-3901~~

3-10-82 SP4JRM/cal

Permanent Serial Charge Out

Date of Mail JULY 23, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Intercepted Entries*
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By *F321*
79 SEP 16 1976

File Number

62-117166-2984
~~66-8160-3902~~

Permanent Serial Charge Out

Date of Mail JULY 23, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL *Surreptitious Entries* ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By 79 SEP 16 1976 *F321*

File Number *62-117166-2915* ~~66-8160-3903~~

Permanent Serial Charge Out

Date of Mail JULY 23, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Supersitious Entries*
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By *F321*
79 SEP 16 1976

File Number *62-117166-29X6*
~~66-8160-3904~~

3-9-82

SP4 RM/Cal

Permanent Serial Charge Out

Date of Mail JULY 23, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - *Intrusions Entries* TECHNICAL SURVEILLANCES - GENERAL

Removed By ^{F321} 79 SEP 16 1976

File Number ^{62-117166-27X7} ~~66-8160-3900~~

3-10-82 DISPU ^{rem} Cal

Permanent Serial Charge Out

Assistant Attorney General
Civil Rights Division

Director, FBI

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. R.E. Long

July 26, 1976

1 - Mr. Leavitt

1 - [REDACTED]

**SURREPTITIOUS ENTRY INVESTIGATION
PROTECTION OF NATIONAL SECURITY INFORMATION**

ALL
6/16/76
6/16/76

In view of our mutual concern as expressed in Departmental memorandum to the Director, Federal Bureau of Investigation, "Re: Surreptitious Entry Investigation," dated 19 July 1976, regarding appropriate protection of classified national security information, with your concurrence, it is my intention to brief the FBI personnel assigned to the Task Force who will be handling such classified information.

As you know, the Agent personnel assigned to this Task Force, by design, were drawn from our complement of Agents who have had little or no experience in security-type investigations. Since these Agents have had little or no experience in matters involving classified national security information, the briefing will be in compliance with Executive Order 11652 which requires that employees handling such classified information must be familiar with the provisions of this Order. The Executive Order requires that agencies handling such classified information establish and maintain active training and an ongoing program for employees having access to classified national security information or material. Such training shall include as a minimum the briefing of new employees and periodic reorientation during employment to impress upon each individual his responsibility for exercising vigilance and care in complying with the provisions of the Executive Order.

Since Agents assigned to the Task Force fall within the category of persons not previously engaged materially in assignments involving the handling of classi-

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Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
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Telephone Rm. _____
Director Sec'y _____

EX-106

REC-72

62-11766-30
23 JUL 29

MAIL ROOM ☐ TELETYPE UNIT ☐

6 AUG 1 2 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JRM/cal

Assistant Attorney General
Civil Rights Division

fied national security information, with your concurrence, such a briefing will be afforded the Task Force FBI personnel.

This proposed briefing will be conducted by personnel of the Intelligence Division who are familiar with the provisions of Executive Order 11652.

Your concurrence and/or suggestions regarding this proposed briefing will be appreciated.

NOTE:

In connection with the investigation currently underway by a Task Force consisting of FBI Agents in support of the Civil Rights Division criminal surreptitious entry investigation, the matter of the handling of classified national security information has been a concern of both the FBI and the Department. Since the FBI personnel assigned to this Task Force have not previously been engaged in security investigations which would familiarize them with the provisions of EO 11652, it is felt that an appropriate briefing regarding the provisions of this EO should be afforded the Agent personnel assigned to the Task Force. This matter was discussed at a conference in Mr. J.B. Adams' Office on 7/23/76, at which time it was the consensus of opinion that the AAG, Civil Rights Division, who is in charge of this inquiry, should be advised of our intention to conduct such a briefing and that his concurrence should be sought.

APPROVED: <i>[Signature]</i>	Ext. Affairs.....	Laboratory.....
Assoc. Dir.....	Fin. & Pers.....	Legal Coun.....
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv. <i>[Signature]</i>	Ident.....	Rec. Mgmt.....
Asst. Dir.:	Inspection.....	Spec. Inv.....
Adm. Serv.....	Intell. <i>[Signature]</i>	Training.....

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SPYELW/ccl

See File 66-2554-7530 for authority.

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE-GENERAL~~

Surreptitious Entries

Removed By 79 SEP 16 1976

File Number 66-8160-3906

Permanent Serial Charge Out

SPY/SM/ccl
2-26-92
3-10-82

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL *Surveillance Entries* ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By *FBI* **79** SEP 16 1976

File Number *66-117166-30 X1*
~~66-8160-3608~~

SP4 JRM/col

3-10-82

Permanent Serial Charge Out

NR 011 BH CIODED

6:08 PM NITEL JULY 26, 1976 DJD

TO DIRECTOR, FBI (66-8160)

FROM BIRMINGHAM (66-1205)

ATTN: INTELLIGENCE DIVISION, IS-3 SECTION

JUNE

SURREPTITIOUS ENTRIES

RE BUREAU TELETYPE, JULY 23, 1976.

REVIEW OF BIRMINGHAM INFORMANT SYMBOL NUMBER INDEXES FROM
1960 TO PRESENT FAILED TO REVEAL ANY SYMBOL NUMBERS WHICH CANNOT
BE IDENTIFIED AS LIVE INFORMANTS, TECHNICAL SURVEILLANCES,
MICROPHONE SURVEILLANCE [REDACTED] OR [REDACTED]
END.

Dep. Dir.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Telephone Rm.	
Director's Sec'y	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-26-82 BY SP4 JMK/cal

REC-29

62-117166-30x2

3907

3 SEP 2 1976

(b)(7)(C)

58 SEP 16 1976

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority

Subject *Disruptive Activities*
JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

F-21
Removed By 79 SEP 16 1976

File Number *62-117166-30 X3*
~~66-8160-3909~~

3-10-82 SP4 JRM/cal

Permanent Serial Charge Out

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Suspicious Entries

Removed By

^{FBI}
79 SEP 16 1976

File Number

62-117164-38X4
~~66-8160-3910~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-16-82 BY SP4/MLC/AL

Permanent Serial Charge Out

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority

Subject Surreptitious Entries
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By F321
79 SEP 16 1976

File Number 62-117166-30X5
66-8160-3-11

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-10-82 BY SP1 JRM/cal

Permanent Serial Charge Out

Date of Mail JULY 16, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject Suspicious Entries
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By 79 SEP 16 1976

File Number 62-117166-30X6
66-8160-3912

SP4 JRM/cal

340-82

Permanent Serial Charge Out

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE GENERAL~~ *Suspicious Entries*

Removed By 79 SEP 16 1976
File Number 62-117166-30X7
66-8160-3913

ALL
INDEXED
FILED

3-1082 SP4JRM/cal

Permanent Serial Charge Out

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Supposition Entries*
JUNE MAIL - ~~TECHNICAL SURVEILLANCE~~ - GENERAL

Removed By *F 321*
79 SEP 16 1976

File Number *62 117166-36X5*
~~66-8160-3914~~

SP4 JRM/cal

3-1082

Permanent Serial Charge Out

Date of Mail JULY 26, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Suspicious Entries*
JUNE MAIL - ~~TECHNICAL SURVEILLANCE~~ - GENERAL

Removed By *F321*
79 SEP 16 1976

File Number *62-117106-30K9*
~~66-8160-3915~~

SP4 JRM/cal

3-10-82

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Subscriptions Entries*
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL -

Removed By *F321*
79 SEP 16 1976

File Number *62-117146-36X10*
~~66-8160-3205~~

SP4 JRM col

3-10-82

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Surveillance Entries*
JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By *F 321*
79 SEP 16 1976

File Number *62-117166-30X11*
~~66-8160-3916~~

SP4 JRM/cal

3-10-82

Permanent Serial Charge Out

Date of Mail JUL 17 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By ¹³²¹79 SEP 16 1976

File Number 62-117166-36X12
~~66-8160-3917~~

3-10-82 SP4JRM/cal

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE-GENERAL~~

Suspicious Entries

Removed By ^{F321}
79 SEP 16 1976

File Number 62-117166-30X13
~~66-8160-3918~~

SP4JRM/cal

3-10-82

Permanent Serial Charge Out

~~CONFIDENTIAL~~

Date of Mail JULY 17, 1976

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN OTHERWISE~~

Has been removed and placed in the Special File Room of Records Section.

~~CONFIDENTIAL~~
SP4 JPM/cal
7-27-96
7-27-82

See File 66-2554-7530 for authority.

~~CONFIDENTIAL~~ *Suspicious Entries*
Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

Removed By F 321
79 SEP 16 1976
File Number 62-117166-3CX14
66-8160-3919

Permanent Serial Charge Out

Date of Mail JULY 27, 1970

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Suspicious Entries*
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By *[Signature]*

File Number *62-117166-30X15*
66-8160-3920

SP4 JMC

3-10-82

Permanent Serial Charge Out

~~CONFIDENTIAL~~

Date of Mail JUL 27 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

~~CONFIDENTIAL~~
7-27-96
3-16-82

Suspicious Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCES-GENERAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 5/20/83

BY SP4EW/cal

Removed By

79 SEP 16 1976

File Number

(22-117106-30X16)

66-8160-3021

~~CONFIDENTIAL~~

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCES~~ GENERAL

Supposition Entries

FBI
79 SEP 16 1976

Removed By

File Number

62-117166-32X17
~~66-8160-3222~~

SP4JRM/cal

3-10-82

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE CENTER~~

Removed By

79 F 321

File Number

62-117166-3018
~~66-8160-3923~~

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject

Superscription Entries
JUNE MAIL-TECHNICAL SURVEILLANCE - GENERAL

Removed By

F321
79 SEP 16 1976

File Number

62-117166-30X19
~~66-8160-324~~

3-10-82

SP43RM/cal

Permanent Serial Charge Out

Date of Mail JUL 1 1971

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject

Subscriptions Entries
JUNE MAIL ~~TECHNICAL SURVEILLANCES - GENERAL~~

Removed By F 321

File Number

62-117166-130X20
66-8160-3925

SP4 JRM/cal

3-10-82

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

Has been removed and placed in the Special File Room of Records Section.

[Faint stamp: INFORMATION]

See File 66-2554-7530 for authority.

3-26-82

SP4 JRM/ccl

Suppletive Entries
Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By ^{F321}
79 SEP 16 1976

File Number 62-117166-30X21
~~66-8160-3926~~

Permanent Serial Charge Out

Date of Mail JUNE 27, 1966

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-26-63
Special

Suspicious Entries

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE-GENERAL~~

F 321
70 3 1 1966

Removed By _____

File Number 62-117166-30X22
~~66-8160-3927~~

Permanent Serial Charge Out

Date of Mail JULY 27, 1976

CONFIDENTIAL

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4/ELW/cal

SP4/ELW/cal
7-27-96
4-19-82

See File 66-2554-7530 for authority.

Subsensitive Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE-GENERAL~~

Removed By 70 SEP 16 1976

File Number 62-117166-32X23
66-8160-3028

Permanent Serial Charge Out

Date of Mail June 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-26-82
Special

Subject *Suspicious Entries*
JUNE MAIL ~~TECHNICAL SURVEILLANCE~~ ~~GENERAL~~

F321
79 SEP 16 1976

Removed By _____

66-117166-30 X24
File Number ~~66-8160-3929~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority

~~CONFIDENTIAL~~
SP4JRM/cal
7-28-76
4-19-82

Subject JUNE MAIL - TECHNICAL SURVEILLANCES

Supervision Entries

F 321

Removed By

File Number

DATE 5/20/83

Permanent Serial Charge Out

SP4JRM/cal

Date of Mail JULY 28, 1974

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

RECEIVED
JUL 30 1974
FBI
3 27 32

Subject JUNE MAIL *Surreptitious Entries*
~~TECHNICAL SURVEILLANCE - GENERAL~~
F 321

Removed By _____

File Number 62-117166-36X26
~~66-8160-3931~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject *Supersession Entries*
JUNE MAIL - TECHNICAL SURVEILLANCE GENERAL

F 321

79 SEP 16 1975

Removed By

62-117166-30127

File Number

~~66-8160-3932~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

CC: X-MAIL

Has been removed and placed in the Special File Room of Records Section.

*RECEIVED
JUL 30 1976
5/30/83*

See File 66-2554-7530 for authority.

RECEIVED

SP4ELW/cal

*SP4IR/cal
2
7-28-96
4-19-82*

Exemptive Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

79 SEP - 1976

Removed By

File Number

66-8160-3-33

Permanent Serial Charge Out

Date of Mail JUL 28, 1976

0001 X

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4EML/call

Subject

Suspicious Entries
JUNE MAIL - 15. ETHICAL SURVEILLANCE - GENERAL

Removed By

F321
79 SEP 16 1976

File Number

62-117166-30429
66-8160-3934

Permanent Serial Charge Out

X

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

RECEIVED
3-30-82
Special

Superseding Entries

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE~~ - GENERAL

F321
79 SEP 16 1976

Removed By

File Number

66-117166-30X30
~~66-8160-3935~~

Permanent Serial Charge Out

Date of Mail JUL 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

4-20-82
Sp4 JRM/al

Subject Suspicious Entries
JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By F 321
79 SEP 16 1976

File Number 62-117166-31 X31
~~66-8160-3-36~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-27-80
Special

Suspicious Entries

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By F 321
79 SEP 16 1976

File Number 62-117166-36X32
~~66-8160-3937~~

Permanent Serial Charge Out

Date of Mail June 25, 1966

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-29-82
Special

Subject

Suspicious Entries
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By

F 221
79 SEP 16 1976

File Number

62-117166-30X33
66-8160-3938

Permanent Serial Charge Out

Date of Mail JUL 1 1983

Has been removed and placed in the Special File Room of Records Section.

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

See File 66-2554-7530 for authority.

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal~~

Surreptitious Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

F321

Removed By

File Number

62-117166-30X34
~~66-8160-3230~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-29-82 DISPOSED

Supplemental Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

79 SEP 16 1976

Removed By

File Number

62-117146-30X35
66-8160-3940

Permanent Serial Charge Out

Date of Mail JUN 18 1976

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

~~SP4JRM/cal~~
7-28-96
4-19-82

See File 66-2554-7530 for authority.

Superseding Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By 79 SEP 16 1976

File Number 66-8160-3941

62-117166-30X36

Permanent Serial Charge Out

Date of Mail JUL 17 1977

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By 79 SEP 16 1976

File Number 62 117166 - X X 31
~~66-8160-3942~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1978

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/Cal

CONFIDENTIAL

See File 66-2554-7530 for authority.

Class. & Ext. By SP4TRN/cal
Exemption Code(s) 25X
Date of Review 7/28/86
7/19/82

Suspicious Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By 79 SEP 10 1978

File Number 66-117166-31 X38
66-8160-3943

Permanent Serial Charge Out

Date of Mail JUL 18, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Surveillance Entries
Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

79 SEP 16 1976
Removed By _____
File Number *62-117106-30X39*
~~66-8160-3044~~

Permanent Serial Charge Out

Date of Mail JUL 1 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Suppletions Entries

79 SEP 16 1976

Removed By _____

File Number 62-117166-30X40
66-8160-3945

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE-GENERAL~~

Removed By 79 SEP 16 1976
File Number 66-117166-30X41
66-8160-3946

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE-GENERAL~~

Removed By 79 SEP 16 1976

File Number 62-117160-30X42
~~66-8160-3047~~

Exempted Entries

Permanent Serial Charge Out

Date of Mail JUL 28, 1976

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

~~ALL INFORMATION
HEREIN IS
UNCLASSIFIED~~

See File 66-2554-7530 for authority.

Surveillance Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

79 SEP 16 1976

Removed By

File Number

62-117166-30X43
66-8160-3048

SP4ELW/cal
7-28-96
4-19-82

Permanent Serial Charge Out

Date of Mail JUN 27 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Supplemental Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE-GENERAL~~

79 SEP 16 1976

Removed By

62-117166-2044

File Number ~~66-8160-3949~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Supplemental Entries
Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE~~ - GENERAL

Removed By 79 SEP 16 1976

File Number 62-117166-30X45
~~66-8160-9050~~

Permanent Serial Charge Out

Date of Mail JULY 28, 1976

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

RECEIVED
DATE 5/20/83
BY SP4ELW/
Cal

Class. & Ext. By SP4JRM/cal
Exempt from GDS
Date of Review 7/28/82
4/19/82

See File 66-2554-7530 for authority

(4)

Suspicious Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

79 SEP 16 1976

Removed By

62-117146-30X46

File Number

66-8160-3951

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/01 BY 60322 UCBAW

Permanent Serial Charge Out

Date of Mail JUL 7 5 11/76

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4 ELW/Cal

SP4 JRM/Cal
7-29-96
4-20-82

See File 66-2554-7530 for authority.

Suspicious Entries

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By 79 SEP 16 1976

File Number 62-117166-30X47
66-8160-3952

Permanent Serial Charge Out

Date of Mail JUNE 29, 1976

has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject Suspicious Entries
JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By 79 SEP 16 1976

File Number 62-117146-30848
66-8160-3453

Permanent Serial Charge Out

Date of Mail JUN 17 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By 79 SEP 16 1976

File Number 62-117160-2149
~~66-8160-3954~~

Permanent Serial Charge Out

Date of Mail JUL 29, 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/30/83 BY SP4Ew/cal

Has been removed and placed in the Special File Room of Records Section.

CONFIDENTIAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

See File 66-2554-7530 for authority.

Surreptitious Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

Removed By 79 SEP 16 1976

File Number 62-117166-30 x 50
56-3160-3955

~~CONFIDENTIAL~~
~~29-96~~
~~4-19-82~~
~~SP4Ew/cal~~

Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4EWW/Cal

Date of Mail JUL 3 1976

COMM. X

Has been removed and placed in the Special File Room of Records Section.

WRH JRM/cal
12-29-96
11-19-82

See File 66-2554-7530 for authority.

X

Surreptitious Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By 79 SEP 16 1976

File Number 62-117166-30X51
66-8160-3956

X

Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

Date of Mail JUL 1, 1976

Has been removed and placed in the Special File Room of Records Section.

COLL X

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/06 BY 30X52

Subject

Suspicious Entries
JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

~~SP4JRM/cal~~
7-29-96
4-11-82

Removed By 79 SEP 16 1976
File Number 66-117166-30X52
~~66-8160-3057~~

Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

Date of Mail JUL 1 1976

CONFIDENTIAL

Has been removed and placed in the Special File Room of Records Section.

SP4 J. P. McCall
9/27/96
1/19/82

See File 66-2554-7530 for authority

Suppression of Evidence

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By 79 SEP 16 1976

File Number 62-117166-2X53
66-8160-3058-

Permanent Serial Charge Out

Date of Mail JULY 29, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject

Surveillance Entries
JUNE MAIL ~~TECHNICAL SURVEILLANCE GENERAL~~

Removed By

79 SEP 16 1976

File Number

66-117166-38154
~~66-8160-3958~~

Permanent Serial Charge Out

Date of Mail 1972 9 1 11

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject

JUNE MAIL

Corruptitious Entries

~~INTERNAL SURVEILLANCE - GENERAL~~

Removed By

97 AUG 17 1976

File Number

62-117166-30X55

~~66-8160-3888~~

Permanent Serial Charge Out

MP004 SD PLAIN

7:05 AM JULY 31, 1976 NITEL RLA

TO: DIRECTOR (65-8160)

FROM: SAN DIEGO (66-1782)

CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES.

SA [REDACTED] PRESENTLY ASSIGNED TO THE SAN DIEGO
DIVISION, RECEIVED A TELEPHONE CALL JULY 29, 1976, FROM ATTORNEY
PAUL HOEBER, CIVIL RIGHTS DIVISION, DEPARTMENT OF JUSTICE,
WASHINGTON, D.C., REQUESTING THAT SA [REDACTED] MAKE HIMSELF
AVAILABLE FOR TESTIMONY IN WASHINGTON, D.C., ON INFORMATION
CONCERNING SURREPTITIOUS ENTRY INTO NEW LEFT RESIDENCES AND
ANY ADDITIONAL INFORMATION THOUGHT TO BE PERTINENT BY THE
DEPARTMENT OF JUSTICE. MR. HOEBER ADVISED THAT SA [REDACTED] WOULD
BE GIVEN ADVICE OF RIGHTS FORM TO BE SIGNED AS HIS TESTIMONY
MIGHT BE USED IN FURTHER PROCEEDINGS. HE DID NOT ADVISE
SA [REDACTED] THAT HE WAS "SUBJECT" OF INVESTIGATION.

SA [REDACTED] WAS ADVISED OF THE CONTENT OF BUREAU TELETYPE
TO ALL SACS, JUNE 15, 1976, AND WAS CAUTIONED NOT TO DISCUSS

DATE 3-1-82

BY SP4JRM/cal

PERS. REC. UNIT

PAGE TWO

SD 66-1782

ANY CLASSIFIED INFORMATION WITH ANYONE OUTSIDE THE EXECUTIVE
BRANCH OF GOVERNMENT UNTIL THAT PERSON OR PERSONS HAVE BEEN
CLEARED BY THE DEPARTMENT TO RECEIVE SUCH INFORMATION.

SA [REDACTED] IS ON EXTENDED SICK LEAVE, HOWEVER, HE WILL
RETURN TO DUTY ON AUGUST 2, 1976, AT WHICH TIME HE WILL
TELEPHONICALLY ADVISE LEGAL COUNSEL OFFICE OF ANY ADDITIONAL
SPECIFICS AND FOR ANY FURTHER INSTRUCTIONS WHICH THE BUREAU
MAY HAVE IN THIS REGARD.

END.

MPF FBI HQCS

R/K
C/KC

no change

DATE 5/20/83
BY SP4ELW/cal
X

Date of Mail AUGUST 2, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

X
SP4RM/cal
82-86
3-29-82
X

Subject

Interruptions Entries
JUNE MAIL ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By

70 SEP 16 1976

File Number

62-117166-31X
~~66-8160-3898~~

Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4 ELW/Cal

Date of Mail AUGUST 3, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

SP4 JRM/cal
8-3-96
3-29-82

Suppletive Entries

Subject JUNE MAIL ~~TECHNICAL SURVEILLANCE CENTRAL~~

79 SEP 16 1976

Removed By

62-117166-31X1

File Number

~~66-8160-3960~~

Permanent Serial Charge Out

Date of Mail AUGUST 6, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-29-82 SP4JRM/

Subject JUNE MAIL - SURREPTITIOUS ENTRIES

Removed By 79 AUG 20 1976

File Number 62-117166-32

Permanent Serial Charge Out

ALL (6/16), (6/17/10)

1 - Mr. Long
1 - Mr. Winter
1 - [REDACTED]

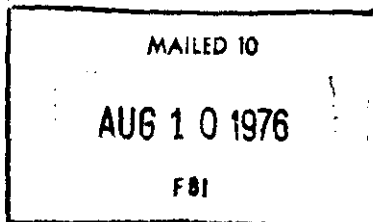
August 9, 1976

Dear [REDACTED]

In connection with the current investigation being conducted by the Civil Rights Division (CRD) concerning surreptitious entries, I advised all Special Agents in Charge by teletype of June 15, 1976, that the Bureau was cooperating with the CRD in this inquiry and encouraged those employees contacted and informed that they are subjects of this investigation to also cooperate. In furtherance of the information set forth in the above-referenced teletype, the CRD has requested me to advise and encourage you to consult counsel, if you have not already done so. For that purpose, you are hereby released from the provisions of your Employment Agreement (FD-291) subject only to the possible need for security clearances of your counsel as discussed below.

My prior communication of June 15, 1976, did not suppose that information and material to be provided to your counsel in connection with this investigation are necessarily classified or subject to the nondisclosure requirements of Title 28, Code of Federal Regulations, Part 17. However, in the event that you believe that material or information provided to counsel is so classified, you should inform your counsel of that belief and advise him that he may contact the CRD for guidance as to whether a security clearance of counsel is necessary and, if so, by what process the clearance can be sought and obtained.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgnt.
Tech. Inv.
Training
Telephone Rm.
Director Sec'y



EX-108 REC 68
Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

22 AUG 11 1976

1 - Assistant Attorney General
Civil Rights Division

Attention: Mr. William L. Gardner

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-8-82 BY SP4JRM/cal

(See NOTE next page)

MAIL ROOM ☒ TELETYPE UNIT ☐

PERF. REC. UNIT FBI/DOJ

[REDACTED]

ALL (6/16)
(6/17)(C)

NOTE: Based on memorandum Legal Counsel to Mr. J. B. Adams dated 7-6-76 captioned "Civil Rights Division, Criminal Investigation of Surreptitious Entries," JCF [REDACTED] Captioned Agent has been telephonically contacted by SA [REDACTED] Legal Counsel Division, 7-29-76. [REDACTED] advised the Department informed him he would be requested to sign a waiver of rights and he intends to obtain private counsel [REDACTED] EOD 11-6-50 as SA; retired

APPROVED: [Signature]	Ext. Affairs	Laboratory
Assoc. Dir.	Fin. & Pers.	Legal Coun.
Dep. AD Adm.	Gen. Inv.	Plan. & Eval.
Dep. AD Inv.	Ident.	Rec. Mgmt.
Asst. Dir.:	Inspection	Spec. Inv.
Adm. Serv.	Intell.	Training

Date of Mail AUGUST 9, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-19-82 BY SP4SEM/cal

Subject

Intercepted Entries
JUNE MAIL - TECHNICAL SURVEILLANCES - GENERAL

Removed By

79 AUG 19 1976

File Number

62-117166-334

~~66-8100-3800~~

Permanent Serial Charge Out

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

2

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.

☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
_____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-117166-34

XXXXXX
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 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Files & Rec.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Off. of Cong. & Public Affairs

TO : Mr. T. W. Leavitt

DATE: 8/2/76

FROM :

ALL (6/1/6)
6/1/6

SUBJECT: SURREPTITIOUS ENTRIES

William L. Gardner, Section Chief, Civil Rights Division, U.S. Department of Justice, who is in charge of the Department's inquiry regarding surreptitious entries telephonically contacted me on 8/2/76 and requested that I voluntarily submit to an interview at 3 pm on 8/4/76 in Room 1038 at the Department of Justice. Mr. Gardner further advised that he is not interested in [REDACTED] in his present capacity as [REDACTED] and has no intention of posing any questions in this regard. His primary interest is in my role as an SAC when I was assigned to the New York Office [REDACTED] His questioning will involve the SAC folders in New York.

Mr. Gardner was told that I will submit to the interview voluntarily and will cooperate.

[REDACTED] Legal Counsel Division, was contacted and advised that based upon our discussion and Mr. Gardner's request I have been released from my employment agreement to discuss matters with the Department.*

* This release is contingent upon [REDACTED] obtaining
ACTION: private counsel.

For information.

(7)

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. R.E. Long

ED: [REDACTED]	Ext. Affairs	Laboratory
Asst. Dir.:	Files & Rec.	Legal Coun.
Adm. Serv.	Gen. Inv.	Plan. & Eval.
Ident.	Ident.	Rec. Mgmt.
Inspection	Intell.	Spec. Inv.
Intell.		Training

REC-103

62-117166-35

100 20 1976

3-1-82

SP4JRM/cal

34 606 20 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PERS. REC. UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : MR. HELD

DATE: 8/10/76

FROM : J. B. ADAMS

SUBJECT: SURREPTITIOUS ENTRIES

Asst. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

ALL

(b)(6)
(7)(c)

On 8/8/76 [REDACTED] telephonically advised me that he is representing SA [REDACTED] in connection with the investigation into surreptitious entries and that SA [REDACTED] is interested in cooperating in this inquiry consistent with his Fifth Amendment rights but wishes to be assured that his cooperation will not affect his future in the FBI and is consistent with the Bureau's desires. I advised [REDACTED] that the Bureau is cooperating fully in this inquiry and urges all employees to cooperate consistent with their Fifth Amendment rights and he can assure SA [REDACTED] that his cooperation is fully consistent with his responsibilities as an FBI Agent and will most certainly have no adverse effect upon his future in the FBI. [REDACTED] asked that I make his call and my response a matter of record in the personnel file of SA [REDACTED]

[REDACTED] telephonically advised me on 8/10/76 that he has been in touch with the Department; that immunity will be granted SA [REDACTED] and that he is making himself available for interview.

ACTION:

Recommended that this memorandum be referred to Mr. Long and that a copy, which has been so designated, be placed in the personnel file of SA [REDACTED]

REC-104

1 - Personnel file [REDACTED]

JBA [REDACTED]

(3)



34 JUL 7 1976

5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

DE0009 2311902

PP HQ

DE DE

P 181903Z AUG 76

FM DETROIT (66-4910) (P)

TO DIRECTOR (66-8160) (PRIORITY)

BT

E F T O

ALL (W/C), (X/C)

CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES

RE DETROIT TELETYPES TO BUREAU, DATED JUNE 18, 1976 AND JUNE 30,
1976, AND DETROIT AND BUREAU TELEPHONE CALLS, AUGUST 18, 1976.

REFERENCED TELETYPES ADVISED BUREAU THAT SAS [REDACTED] AND [REDACTED] WERE CONTACTED BY DEPARTMENTAL ATTORNEY WILLIAM GARDNER, WASHINGTON, D.C. AND ADVISED THEY WERE AMONG A GROUP OF SPECIAL AGENTS CURRENTLY CONSIDERED SUBJECTS OF A CRIMINAL INQUIRY RELATING TO CAPTIONED MATTER. REQUESTS FROM THESE AGENTS WERE SET FORTH THEREIN FOR PERMISSION TO CONSULT WITH THEIR ATTORNEY REGARDING THIS MATTER.

BOTH SPECIAL AGENTS HAVE BEEN ADVISED BY LETTER DATED AUGUST 6, 1976, FROM THEIR ATTORNEY [REDACTED]

[REDACTED] MINEOLA, NEW YORK, THAT DEPARTMENTAL PERMISSION HAS BEEN

3-1-82 BY SP4 JRM/cal

PER 2, 2 UNIT

PAGE TWO DE 66-4910 E F T O

GRANTED HIM TO INTERVIEW THEM REGARDING CAPTIONED MATTER.

BOTH AGENTS HAVE REQUESTED PERMISSION TO TRAVEL TO NEW YORK FOR PURPOSES OF INTERVIEW WITH THEIR COUNSEL AND RECEIVING LEGAL ADVISE CONCERNING THIS MATTER. BOTH SPECIAL AGENTS DESIRE TO BE PLACED ON ADMINISTRATIVE LEAVE DURING TRAVEL AND ABSENCE NECESSITATED BY THIS CONSULTATION AND REQUEST THAT THEY BE ALLOWED TO TRAVEL BY GTR AND BE GRANTED PER DIEM PRIVILEGES WHILE THERE.

SAC DETROIT RECOMMENDS THAT FAVORABLE CONSIDERATION BE GIVEN TO THESE REQUESTS.

BT

W. L. S.

CLEAR

TELETYPE

PRIORITY

8/20/76

FM DIRECTOR

TO DETROIT (66-4910)

BTEK-100

CLEAR

ALL (L/C)
(7/C)

36

- 1 - Mr. Mintz
- 1 - [REDACTED]
- 1 - Legal Research Unit

CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

REDETEL 8/18/76.

FAVORABLE CONSIDERATION CANNOT BE GIVEN REQUESTS
SET FORTH IN REDETEL AS NO PRESENT AUTHORITY ALLOWS
APPROPRIATED FUNDS BE USED TO PAY EXPENSES INCIDENT
TO SUCH TRAVEL.

IN THE EVENT YOU DESIRE DEPARTMENT TO CONSIDER
MATTER, SUBMIT YOUR REQUESTS IN WRITING TO BUREAU
FOR FORWARDING.

BT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JRM/cal

NOTE: ReDetel 8/18/76 requested consideration be given
to allowing Detroit Agents named to travel by GTR, placed
on administrative leave and be granted per diem. This
matter has been coordinated with Finance and Personnel
Division.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

APPROVED: _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

MAIL ROOM ☐ TELETYPE UNIT ☐

AUG 20 1976
12:30 PM
TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4GWL/cal

Date of Mail June 1976

Has been removed and placed in the Special File Room of Records Section.

8/18/96
4/20/82
SP4JPM/rak

See File 66-2554-7530 for authority.

Subject JUNE MAIL *Surveillance Entries*
~~TECHNICAL SURVEILLANCES - GENERAL~~

Removed By 79 SEP 13 1976

File Number 62-117166-36X
~~66-8160-9899~~

Permanent Serial Charge Out

airtel

To: ADIC, New York

8-23-76

From: Director, FBI

1 - Mr. Mintz

CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

Reurairtel 8-6-76.

Enclosed herewith is a copy of a communication from me to the Attorney General concerning the request of SA [REDACTED] which was enclosed with referenced airtel. A copy of this communication should be furnished to SA [REDACTED]

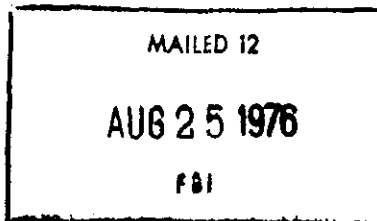
Enclosure

1 - BuPersFile SA [REDACTED]

(6)

NOTE: Referenced airtel from ADIC New York enclosed a letter to the Attorney General concerning SA [REDACTED] part in the surreptitious entries investigation. By separate communications SA [REDACTED] request has been furnished to the Department.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



APPROVED:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

REC-59

EX-113

5 AUG 1976

55 SEP 3 1976

TELETYPE UNIT ☐

Date of Mail JUNE 30, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

RECEIVED
DATE 4-19-82
5/94 JAV
CAL

Subject JUNE MAIL-MISREPRESENTATIVE ENTRIES

Removed By 79 JUN 18 1976

File Number 62-117166-38

Permanent Serial Charge Out

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7-30-76

FROM : Legal Counsel

SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION
SURREPTITIOUS ENTRIES

ASST. DIR. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

PURPOSE: To advise of receipt of additional information indicating the Department is expanding the scope of its investigation into surreptitious entries.

SYNOPSIS: Present and former Special Agents who are subjects of captioned inquiry are being released from their employment agreement in order to consult with attorneys and are being advised of same. [REDACTED] advised of being informed the Department intended to look into all possible violations of civil rights by Bureau Agents. On 7-29-76 [REDACTED] Atlanta, advised of contact by Departmental Attorney William Gardner. At the time Gardner indicated his inquiry was designed to obtain information about all Bureau activities not limited to surreptitious entries.

RECOMMENDATION: For information.

1 - Mr. R. Long

1 - Mr. Mintz

1 - [REDACTED]

(4)

(CONTINUED - OVER)

Memorandum to Mr. J. B. Adams
Re: Civil Rights Division
Criminal Investigation
Surreptitious Entries

ALL
(b)(6)
(7)(C)
(7)(D)
DETAILS: Legal Counsel memorandum to Mr. J. B. Adams dated 7-27-76, captioned as above, advised [REDACTED]

[REDACTED] was contacted by William Gardner of the Civil Rights Division and desired to interview [REDACTED]. Gardner informed [REDACTED] he intended to learn of any and all possible violations of citizens' civil rights by FBI Agents and intended to go back as far as 1940. This was the first indication we have received that the Department's inquiry is not to be limited to surreptitious entries.

On 7-29-76 [REDACTED] Atlanta, advised Assistant Director Leavitt he had been contacted by Gardner concerning surreptitious entries investigation.

[REDACTED] later contacted by a representative of Legal Counsel Division who informed him that he was released from his employment agreement for the purpose of consulting with private counsel if he desired to retain same. [REDACTED] stated that he had retained counsel and upon his advice had declined to be interviewed by Gardner at this time.

During the conversation [REDACTED] stated that Gardner stated he intended to cover the following subjects. The interview was to cover all investigative techniques utilized by Squad 43 and the entire Division 4 of the New York Office. This would include surreptitious entries, wiretappings, COINTELPRO activities, and the identity of Agents participating in above activities. In addition, Gardner stated he desired to learn what level of authority approved the above activities and what levels of authority were aware of such activities and acquiesced in their being conducted.

RECEIVED
[Date 5/20/83]

SP4 ELW/Cal

Date of Mail (RM) - 12-1-77

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

SP4 ELW/Cal
8-12-96
4-19-82

Subject JUNE MAIL - SURREPTITIOUS ENTRIES

Removed By 79 SEP 08 1976

File Number 62-117166-39

Permanent Serial Charge Out

DATE 5/20/83

BY SP4 ELW/Cal

Date of Mail AUG 17 1976

CONFIDENTIAL

Has been removed and placed in the Special File Room of Records Section.

CLASSIFIED BY SP4 JRM/Cal
EXEMPT FROM GDS
DATE 8-17-96
BY 20-82

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-17-96 BY 20-82

Subject JUNE MAIL -SURREPTITIOUS ENTRIES

Removed By 79 SEP 08 1976

File Number 62-117166-40

Permanent Serial Charge Out

Date of Mail AUGUST 10, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7539 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-14-82 BY 60324

SP4 BML/cal

Subject JUNE MAIL - CURRENT TITIOUS ENTRIES

Removed By 70952 631976

File Number 62-117166-41

Permanent Serial Charge Out

Date of Mail AUGUST 20, 1976

DATE 5/20/83

B/SP4ELW/
cal

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL - UNREPTITIOUS ENTRIES

Removed By 79 SEP 08 1976

File Number 62-117166-42

Permanent Serial Charge Out

Date of Mail JUL 30 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority

Subject JUNE MAIL - SURREPTITIOUS ENTRIES

Removed By 79 SEP 28 1976

File Number 62-117166-43

Permanent Serial Charge Out

Date of Mail JULY 30, 1976

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

CLASSIFIED BY SP4ELW/cal
7-30-96
4-19-82

See File 66-2554-7530 for authority.

Subject JUNE MAIL - SUBSTITUTED ENTRIES

Removed By 7 9 SEP 08 1976

File Number 62-117166-44

Permanent Serial Charge Out

Date of Mail JUN 11 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

3-29-82 SP4JRM/cal

Subject JUNE MAIL - SURREPTITIOUS ENTRIES

Removed By 79 SEP 08 1976

File Number 62-117166-45

Permanent Serial Charge Out

Date of Mail AUGUST 2, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

329-82 SP4RM/cal

Subject JUNE MAIL - MISREPRESENTATIONS ENTRIES

Removed By 79 JPP 8/2/76

File Number 66-117166-46

Permanent Serial Charge Out

Date of Mail AUG 5 11 11 76

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

DATE 5/20/83

REMOVED
BY SP4ELW/
Cal

Class. & Ext.
Exempt from
G.O.P. Sec.

SP4 JRM/cal
8-11-96
4-19-82

See File 66-2554-7530 for authority.

Subject JUNE MAIL UNREPTITIOUS ENTRIES

Removed By 79 SEP 08 1976

File Number 62-117166-47

Permanent Serial Charge Out

Date of Mail AGM ST 16, 1976

~~CONFIDENTIAL~~

11-1-76
6/15/83

Has been removed and placed in the Special File Room of Records Section.

SP4
B/SP4
Cal

SP4
8-16-86

See File 66-2554-7530 for authority.

Subject JUNE MAIL - DUPLICATED ENTRIES

Removed By

79 SEP 23 1976

File Number 62-117166-48

Permanent Serial Charge Out

NY0540 2292258Z

RR HQ

DE NY 013

R 162145Z AUG 76

IR NEW YORK

TO DIRECTOR

BT

EFTO

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATIONS OF
SURREPTITIOUS ENTRIES.

THIS IS TO ADVISE THAT SA [REDACTED] CURRENTLY
ASSIGNED TO SECTION 14, DIVISION I, NYO, HAS BEEN CONTACTED
BY STEVEN HORN, CRIMINAL SECTION, CIVIL RIGHTS DIVISION,
UNITED STATES DEPARTMENT OF JUSTICE. HORN HAS ADVISED
[REDACTED] HE WISHES TO INTERVIEW HIM CONCERNING CERTAIN
ACTIVITIES [REDACTED] MAY HAVE KNOWLEDGE OF, WHICH TOOK
PLACE DURING HIS ASSIGNMENT TO SECTION 47, DIVISION IV
OF THE NYO.

IN THIS REGARD [REDACTED] HAS RETAINED [REDACTED]

[REDACTED] NEW YORK CITY, AS HIS COUNSEL [REDACTED] A. SEP 2 1976
FORMER SPECIAL AGENT OF THE FBI, WAS BORN ON SEPTEMBER 16,
1944 [REDACTED] ENTERED THE FBI ON SEPTEMBER 8, 1969, AND
RESIGNED HIS POSITION AS A SPECIAL AGENT ON SEPTEMBER 11,
1971.

84 SEP 20 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 16 1976

TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4 JRM/al

Assoc. Dir.	
Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Adm. Serv.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Serv.	
Training	

ALL
6/16
6/16

49

PER/REC UNIT

PAGE TWO

NO DATE HAS BEEN SET AS YET FOR INTERVIEW OF
SPECIAL AGENT [REDACTED]

BT

(b)(6), (b)(7)(C)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. R. J. Callahan *8/16/76*

DATE: 8/16/76

FROM : [REDACTED]

- 1 - Mr. Adams
- 1 - Mr. Callahan
- 1 - Mr. J. Moore
- 1 - [REDACTED]

SUBJECT: *u* REPEATED CALLS

DISCUSS

ALL (6)(6), (7)(C)

Re phone contact by Bruce Howard, Washington Post, on 8/16/76 concerning captioned matter.

DISCUSS

None. See information.

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4 Jrm/cal**

DETAILS

At about 1:30 p.m., 8/16/76, a caller, identifying himself as Bruce Howard, a reporter for the Washington Post, called me and advised he had just finished interviewing Frank B. Miller, Assistant to the Director Edward Miller. Miller has told me that in August, 1972, former Director Patrick Gray had advised him, Miller, that he would consider authorizing no further entries in certain security investigations. Miller said he had called me into his office and advised me of this. I then contacted, through good, but not direct, contact line, the person who had been told to do it.

Howard requested I comment on Miller's remarks. I told Howard I had no recollection of the events described by Miller and could not comment further.

REC 12

SEP 2 1976

Asst. Dir.:	Adm. Serv.	Ident.
Exec. Dir.	Intell.	Lab.
Dep. Dir.:	Legal Coun.	Plan. & Eval.
Asst. Dir.:	Rec. Mgmt.	Spec. Inv.
Adm. Serv.	Training	

84 SEP 24 1976



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PERM. TO COPY

FBI/DOJ

CLEAR

TELETYPE

ROUTINE

1 - Mr. Held
1 - Mr. Jenkins

1 - Mr. Adams
1 - Each Assistant Director
1 - Mr. Long 8/17/76

FM DIRECTOR

TO ALL SACS

BT

CLEAR

CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

REBUTEL 6/15/76.

BUREAU AGENT TASK FORCE INVESTIGATORS ASSIGNED

TO CAPTIONED INVESTIGATION HAVE VISITED SOME FBI
FIELD OFFICES IN CONNECTION WITH THIS MATTER.

IN THE EVENT BUREAU AGENT TASK FORCE INVESTIGATORS
REQUEST ACCESS TO INFORMANT FILES, SUCH ACCESS SHOULD
BE GRANTED.

BT

ST-101

REC 12

18 SEP 7 1976

TELETYPE

Butel 6/15/76 advised of FBI cooperation in this investigation and could be construed to require Headquarters approval for Agent Task Force investigators to have access to informant files whereas intention of referenced teletype was to require Headquarters approval for Civil Rights Division attorneys to have access to informant files. This communication being transmitted to preclude any possible misunderstanding of instructions.

PLM:mah (18)

RECEIVED

APPROVED:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____

Inspection _____
Ident. _____
Lab. _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

Lab. _____
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Assoc. Dir. _____
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Dep. AD Inv. _____
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Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____

4 SEP 13 1976

ROOM

TELETYPE UNIT

FBI

Date:

8/5/76

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Precedence)

TO: DIRECTOR, FBI (PERSONAL ATTENTION)
FROM: ADIC, NEW YORK
SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION
OF SURREPTITIOUS ENTRIES

**ALL
(b)(6), (b)(7)(C)**

Enclosed herewith is a letter dated 8/5/76 to the Director from [REDACTED] Supervisory Special Agent, New York Division.

Also enclosed herewith is a letter dated 8/5/76 to the Attorney General from [REDACTED] Supervisory Special Agent, New York Division. It is requested that this letter to the Attorney General be immediately delivered to him.

② Bureau (Encls. 2) (RM)
1-New York

(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

Approved: 3-1-82 Special Agent in Charge

Sent

M Per

GPO 1975 O - 590-992

RECEIVED

the Director, [redacted] Agent, [redacted] Division
Super [redacted]
Also [redacted] letter dated 8/5/76 to the
Asst. General from [redacted] Super
Vice [redacted] Agent, [redacted] Division



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

201 East 69th Street
New York, New York 10021
August 5, 1976

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Kelley:

Reference is made to your letter, dated July 27, 1976, which was delivered to me on August 3, 1976.

As you may be aware, on June 18, 1976, an individual, identifying himself as William L. Gardner, Chief, Criminal Section, Civil Rights Division, United States Department of Justice (USDJ), Washington, D.C., advised me on the telephone that his Division had the responsibility for an investigation being conducted concerning surreptitious entries made without judicial approval in residences and other buildings which could be violations of Title 18, Sections 241, 242, and 2236, United States Code. Gardner stated that he was in possession of information that I may have had a role in such entries on one or more occasions. Therefore, I was being considered a potential subject of this investigation. In short, Gardner requested that I travel to Washington, D.C., to be interviewed by him in this matter, at which time I would be advised of my Constitutional rights as a subject. He advised that he desired to have this interview conducted as quickly as possible and would appreciate it if I or someone acting on my behalf contact him to arrange for the interview and the conditions under which I would be interviewed.

I told Gardner that at this point, I was undecided as to whether or not I was in need of counsel. Furthermore, I had been instructed not to discuss classified information at this time with an attorney who did not have an appropriate



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JRM/cal

clearance and therefore if I did decide to obtain legal counsel, I could not proceed in selecting an attorney and advising him of possibly pertinent facts. I told him that other matters and problems of a similar nature were still being resolved at the Federal Bureau of Investigation Headquarters (FBIHQ) and USDJ level which would have a bearing upon my decisions as to choice of counsel.

Gardner advised me that he had on that very day learned of the problem concerned with divulging classified information to independent counsel.

Other similar matters concerning the possibility of my interview were discussed, notably the possible use of a Grand Jury proceeding in New York City in order to obtain a statement from me in this matter. I was also left with the impression that Gardner would recontact me at an unspecified date in the near future. I have not been recontacted by him since our discussion on June 18, 1976.

Concerning your July 27, 1976 letter to me, I can only regard it as a reiteration and confirmation of your previous instructions as set forth in your teletype message of June 17, 1976. In regard to providing information to counsel of my choice, there has never been any doubt in my mind that such information would be of a highly classified nature pertaining to national security matters.

Due to the fact that I have never been advised by the USDJ as to the specific facts which have led the USDJ to consider me a potential subject, I have been put in the potential position of necessarily having to be as liberal as possible in providing information to counsel in an attempt to anticipate the scope of an interview with Mr. Gardner. Therefore, the probability of divulging classified information to counsel, becomes proportionally greater with the amount of information furnished.

As a result of your letter to me, I have initiated contact with an attorney in order to determine his willingness to represent me in this matter. In order to assist me in this regard, I hereby respectfully request that I be furnished a copy of the Employment Agreement (FD-291) executed by me.

Additionally, I hereby request that I be furnished copies of any documents furnished from FBI files to the USDJ which appear to specifically implicate me in any surreptitious entry matter.

Additionally, I hereby request that I be furnished, when available, a copy of the document presently being prepared by the Chicago Division of the FBI relating to the foreign connections of the Weatherman Underground Organization (WUO). This document may provide sufficient evidence that the WUO is properly described as a foreign organization as distinguished from a domestic organization.

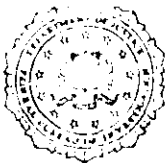
Additionally, I hereby request copies of any documents disseminated to the USDJ in the normal course of business during the period that I was a member of Section 47, at the New York Division, which could reasonably indicate to the reader that a surreptitious entry technique was involved. It is requested that the specific identities of personnel of the USDJ receiving such documents be determined and furnished to me.

Your favorable response to my above-stated requests would indeed be appreciated since I naturally desire to afford the attorney of my choice every advantage in his efforts to provide excellent representation on my behalf.

(6/16)
(7/10)

Sincerely yours,


Supervisory Special Agent



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

201 East 69th Street
New York, New York 10021
August 5, 1976

Honorable Edward H. Levi
Attorney General
United States Department of Justice
Washington, D.C.

Dear Mr. Levi:

I have been employed as a Special Agent of the
Federal Bureau of Investigation (FBI) since September 30,
1963.

On June 13, 1976, I was advised by William L.
Gardner, Chief, Criminal Section, Civil Rights Division,
United States Department of Justice (USDJ), Washington, D.C.,
that I was considered a potential subject in an investigation
being conducted by his Division concerning surreptitious
entries made without judicial approval which could be viola-
tions of Sections 241, 242, and 2236 of Title 18, United States
Code.

I hereby request that the USDJ provide a departmental
attorney to represent me in the above matter. If you decide
that you are unable to provide me with such services, I request
that you grant me authority to hire counsel of my choice
at Government expense.

Sincerely yours,

[Redacted Signature]

Supervisory Special Agent
Federal Bureau of Investigation

6/16/76
G/1/C



RECEIVED
DATE 3-1-82
DISPATCHED

AI-TELE

1 - Mr. Mintz

1 [REDACTED]

To: ADIC, New York

8-17-76

From: Director, FBI

REC 12

CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

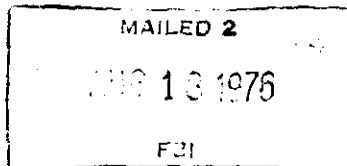
52
ALL (4/6), (7/6)

Reurairtel 8-5-76 with enclosures.

Enclosed herewith is a copy of a communication from me to the Attorney General concerning the request of Special Agent [REDACTED] which was enclosed with referenced airtel. A copy of this communication should be furnished to Special Agent [REDACTED].

Also enclosed for Special Agent [REDACTED] is a copy of FD-291 (Employment Agreement) executed by Special Agent [REDACTED] on September 18, 1973.

You should advise Special Agent [REDACTED] that his request for information concerning surreptitious entries has been forwarded to the Department as they are in possession of all pertinent documents concerning this matter.



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JEM/cal

Enclosures (2)

1 - Personnel file of SA [REDACTED]

cc. Dir. _____
AD Adm. _____
AD Inv. _____
Dir. _____
in. _____
p. Syst. _____
Affairs _____
s & Com. _____
Inv. _____
action _____
L. _____
atory _____
& Eval. _____
Inv. _____
ing _____
Coun. _____
one Rm. _____
or Sec'y _____

NOTE: Referenced airtel from ADIC, New York enclosed a letter to the Attorney General and to the Director concerning SA [REDACTED] part in the surreptitious entries investigation. By separate communication his request has been furnished to the Department.

(8) - [REDACTED]

APPROVED:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
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Laboratory _____
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Rec. Mgmt. _____
Spec. Inv. _____
Training _____

SEP 27 1976

MAIL ROOM ☒

TELETYPE UNIT ☐

1 - Mr. Mintz

1 - [REDACTED]
1 - Mr. Long

August 18, 1976

The Attorney General

Director, FBI

REC 12

ST-107
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION
NEW YORK, NEW YORK
REQUEST FOR COUNSEL

ALL (6/16)
(2/1C)

Enclosed is the original of a letter from Special Agent [REDACTED] of our New York, New York, Office addressed to you in which he requests the Department to provide counsel or pay for private counsel in connection with the current inquiry being conducted by the Department pertaining to surreptitious entries.

At this time we have no information that would raise a question as to whether his actions were within the scope of his official responsibilities. Therefore, we recommend that you consider favorably his request and advise me of your determination as soon as possible.

Also enclosed is a copy of a letter to me from Special Agent [REDACTED] requesting certain documents. This is being referred to you for appropriate action. By separate communication, I am advising Special Agent [REDACTED] of this memorandum and furnishing him a copy of the Employment Agreement executed by him.

MAILED 2
AUG 18 1976
FBI

Enclosures (2)

1 - The Deputy Attorney General

1 - Assistant Attorney General
Civil Rights Division

1 - PersFile SA [REDACTED]

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
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Rec. Mgnt. _____
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Training _____
Telephone Rm. _____
Director _____

(8)

(See NOTE next page)

DATE 9-1-82 BY SP4JRM/cal

84 SEP 20 1976 MAIL ROOM ☐ TELETYPE UNIT ☐

FBI/DOJ

Memorandum to the Attorney General
Re: [REDACTED]
Request for Counsel

(4/6)
(7/10)

NOTE: This memorandum is being forwarded to the Department in order to confirm delivery of the request of SA [REDACTED] for counsel and to provide the necessary statement that there is no reason to believe his actions were beyond the scope of his responsibilities. Letter of SA [REDACTED] submitted by cover letter to the Director dated 3-5-76.

APPROVED:	Ext. Affairs	Telephone
Asst. Dir.	Ident. Div.	
Dep. Dir.	Rec. Mgmt.	
Asst. Dir.	Int. Sec.	
Adm. Serv.	Off. of Cong. & Public Affs.	
	Training	

UNITED STATES GOVERNMENT

Memorandum

TO : MR. HELD

DATE: 8/20/76

FROM : J. B. ADAMS

SUBJECT: SURREPTITIOUS ENTRIES

ALL
(4/6)
(7/10)

On 8/20/76 I received a call from a [REDACTED] who advised that he was a former Assistant U. S. Attorney representing [REDACTED] New York, in connection with surreptitious entries. He said that SA [REDACTED] is desirous of cooperating in the investigation, has been offered immunity, and would appreciate a memorandum being placed in his file to the effect that the Bureau does desire for Agents to cooperate in this investigation consistent with exercising their Fifth Amendment rights. I advised him that this is consistent with our instructions to all offices and, accordingly, a memorandum would be placed in SA [REDACTED] personnel file.

RECOMMENDATION:

That a copy of this memorandum (which is so designated) be placed in the personnel file of SA [REDACTED]

1 - Mr. Long

1 - Personnel File (SA [REDACTED])

JBA [REDACTED]

(4)

3-1-82

SP4 JRM/LL

REC 12

SI-107



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL (6/16)
7/10

August 24, 1976

James H. Adams
Deputy Assistant Director
F.B.I.
9th and Pennsylvania Avenue
Washington, D.C.

Dear Mr. Adams:

Pursuant to our telephone conversation of August 24, 1976, this letter is to inform you that pursuant to the recommendation of Mr. Kelly, Special Agent [REDACTED] of the New York Office of the F.B.I. has agreed with representatives of the Civil Rights Division of the Department of Justice that he will cooperate with that division's current investigation involving activities of F.B.I. agents in New York and will answer all questions of [REDACTED] activities and the activities of others.

It is my understanding, based upon my conversation with you, that [REDACTED] will suffer no sanction, reprimand or administrative action of any kind as a result of his testimony and the facts which he may reveal. It is my further understanding that a written memorandum confirming the above will be placed in [REDACTED] personnel folder for future reference.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

[REDACTED]
3-182-1-1 JRM/cal

20

REC-21

September 13, 1976

55X

ALL (6/6),
(7/6)

[Redacted] Esq.

New York, New York 10019

Dear [Redacted]

I have received your letter of August 24, 1976, in which you state it is your understanding, based upon your conversation with me, that Special Agent [Redacted] will suffer no sanction, reprimand or administrative action of any kind as a result of his testimony and the facts which he may reveal. You also stated it was your understanding that a written memorandum confirming the above would be placed in [Redacted] personnel folder for future reference.

My understanding of your telephone call of August 20, 1976, was that you wanted assurances that this Bureau is desirous of Agents cooperating in the surreptitious entry investigation consistent with their Fifth Amendment rights and that the fact of their cooperation would not be held against them at a later date. I did so assure you, but it is not proper to interpret my assurances as any sort of grant of immunity from administrative action as outlined in your letter. I am unaware of any immunity from administrative action having been granted to any employee in connection with these inquiries except for the assurance that no employee will be disciplined for exercising his Constitutional rights.

Sincerely yours,

James B. Adams

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4 JRM/Cal

Assoc. Dir. _____
Deo. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
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Laboratory _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

1 - Personnel File (SA [Redacted])

JBA
(4)

MAIL ROOM ☐

TELETYPE UNIT ☐

APPROVED: _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____

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Laboratory _____
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Spec. Inv. _____
Training _____

FBI/DOJ

84 NOV 2 1976

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.

- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
OFFICE OF INFORMATION AND PRIVACY, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
_____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

62-117166-56

XXXXXX
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 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

Memorandum

ASST. DIR.
ADM. ASST.
INSP.
LAB.
LEGAL COUNSEL
PLANNING & EVAL.
TRAINING

TO : The Associate Director

DATE: 8/26/76

FROM : Legal Counsel *ELP*

SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

PURPOSE:

To advise of visit to Legal Counsel of attorneys
for SA [REDACTED] New York Division.

SYNOPSIS:

Attorneys representing SA [REDACTED]
New York Division who has been called as a witness in
captioned investigation, visited Legal Counsel Division
(LCD) 8/20/76, expressing concern as to their client's
future in the Bureau. Counsel desired a statement from
Headquarters indicating no administrative action would be
taken against their client.

RECOMMENDATION:

None. For information.

ALL
(b)(6)
'7)(c)

3-1-82 SP4 JRM/cal REC-37 57
1 - Mr. Long
1 - Mr. Mintz
1 - [REDACTED]
[REDACTED]
(4)
CONTINUED - OVER 22



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

U.S. GOVERNMENT PRINTING OFFICE: 1969 O - 340-100

ALL
(b)(6)
(b)(7)(C)

Legal Counsel to the Associate Director
Re: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

DETAILS:

On 8/20/76 [REDACTED] former Special Agent, and [REDACTED] former Assistant United States Attorney, New York, visited LCD and conferred with SA [REDACTED] concerning their client SA [REDACTED] New York Division. Counsel stated their client had been contacted by representatives of the Civil Rights Division concerning captioned inquiry. Their client was not advised that he was a subject of the investigation, but was informed that he would be asked to sign a waiver of rights. They said SA [REDACTED] was visibly upset and emotionally disturbed by this whole incident, particularly as it pertains to his future in the FBI. Their contact with LCD was to obtain a blanket commitment from the Bureau that no administrative action would be taken against their client regardless of the position he took with the Department. They advised that at this time they had not made a final decision as to whether or not they would permit their client to cooperate with the Department or to invoke his constitutional rights. In either event, they desired some commitment from the Bureau that whatever action their client took his future in the Bureau would not be jeopardized.

Both attorneys were fully briefed concerning this investigation and the fact that it is being directed by the Civil Rights Division. They were informed that the official position of the Bureau was that of cooperation with the Department, and that the Director had advised our field divisions that no Agent would be subject to administrative action if he chose to exercise his constitutional rights.* It was further pointed out that since the Bureau was not in possession of all facts concerning this investigation no commitment could be made other than that set out above. Both attorneys stated they understood that we were not in possession of the facts concerning this inquiry.

*This means that no action would be based on the fact constitutional rights were exercised. No broader commitment could be given.

ALL
'6X6)
'7Xc)

Legal Counsel to the Associate Director
RE: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

[REDACTED] stated that he would possibly recommend that his client write a personal letter to the Director requesting the above blanket commitment against future administrative action.

At the conclusion of the interview [REDACTED] and [REDACTED] advised they had an appointment to meet with a representative of the Deputy Attorney General's office later that day. [REDACTED] stated he would be most happy to cooperate with the Bureau in any matter concerning this investigation and that he could be reached at telephone number [REDACTED] in New York City.

[REDACTED] advised that he could be reached at [REDACTED] in New York City.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MINTZ

DATE: 8/30/76

FROM : J. B. ADAMS

SUBJECT: SURREPTITIOUS ENTRIES

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
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Ident. _____
Inspection _____
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Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

By memorandum 8/20/76 I advised that on that date I received a call from [REDACTED] attorney for SA [REDACTED] New York, in connection with surreptitious entries. He said that SA [REDACTED] is desirous of cooperating in the investigation, has been offered immunity, and would appreciate a memorandum being placed in his file to the effect that the Bureau does desire for Agents to cooperate in this investigation consistent with exercising their Fifth Amendment rights. I advised him that this is consistent with our instructions to all offices and, accordingly, a memorandum would be placed in SA [REDACTED] personnel file. A copy of that memorandum was designated for SA [REDACTED] file.

By letter 8/24/76 [REDACTED] referred to our telephone conversation and stated it is his understanding, based upon his conversation with me, that SA [REDACTED] would suffer no sanction, reprimand or administrative action of any kind in connection with his testimony and the facts which he may reveal. It was his further understanding that a written memorandum confirming the above would be placed in SA [REDACTED] personnel folder for future reference.

7 OCT 26 1976

[REDACTED] letter indicates a conclusion of immunity from administrative action which I did not intend, as I feel there is no basis for granting such immunity. My understanding was that [REDACTED] wanted assurances that the Bureau is desirous of Agents cooperating in the surreptitious entry investigation consistent with their Fifth Amendment rights and that the fact of their cooperation would not be held against them at a later date. It is my understanding that once immunity from prosecution is granted, we are then in a position to require Agents to answer concerning their activities without any assurances that their answers would not be used against them for administrative purposes. Before responding to [REDACTED] along that

SEE ADDENDUM LEGAL COUNSEL DIV. PAGE 3

JBA [REDACTED]
(3)

1 - Personnel File (SA [REDACTED])

CONTINUED - OVER

84 SEP 2 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

Memorandum for Mr. Mintz
Re: SURREPTITIOUS ENTRIES

line, I would like for you to furnish me your opinion in this connection, including consultation with Mr. Pottinger if you feel such is necessary. Thereafter, I will submit a proposed letter for approval which should be cleared through Mr. Pottinger before being sent.

RE: J. B. Adams memorandum to Mr. Mintz
Surreptitious Entries

ADDENDUM: LEGAL COUNSEL DIVISION

9/3/76

You are correct in your understanding that there is no legal bar to our taking administrative action against a Special Agent (SA) based upon information he reveals after being granted immunity from criminal prosecution by the Department. This assumes, of course, that the facts he discloses indicate that he has acted in an unauthorized or otherwise improper manner in connection with his employment.

As you note in the attached memorandum, it would be improper to take administrative action against an SA because of the fact of his cooperation and, of course, we would not wish to do so as the Bureau has indicated it desires to have our employees cooperate fully in this matter, consistent with their own Fifth Amendment rights.

We concur in the suggestion that your response be cleared through Mr. Pottinger because, as a practical matter, such a response could have the effect of lessening an Agent's willingness to discuss fully and candidly his activities. We certainly wish to avoid any possibility of the Civil Rights Division incorrectly construing our response as an intentional effort to lessen cooperation from our employees in the captioned investigation.

JCF
Jm

SD0642 2402256

PP HQ

DE SD

P 270000Z AUG 76

FM SAN DIEGO (66-1780)(P)

TO DIRECTOR (66-8160) PRIORITY

BT

CLEAR

ATTENTION OFFICE OF LEGAL COUNSEL (MR. OLMERT)

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES.

RE SAN DIEGO ROUTINE TELETYPE, JULY 31, 1976.

ON AUGUST 26, 1976, VIA U. S. CHIEF DEPUTY MARSHAL
ELANCO, U.S. MARSHAL'S OFFICE, SOUTHERN DISTRICT OF CALIFORNIA,
J. STANLEY POTTINGER, ASSISTANT ATTORNEY GENERAL, BY STEPHEN
HORN AND PAUL HOEBER, ROOM 401, U. S. COURTHOUSE, FOLEY
SQUARE, NEW YORK, NEW YORK, SUBPOENAED SA [REDACTED]

AS FOLLOWS:

REC-12

SEP 8 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4 JMK/al

Asst. Dir.	
Adm. Serv.	
Ident.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Aff.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Off. of the Inspector Gen.	
Chief of Police	
Director	

ALL
6/16
6/16
6/13

62-117166-57X1

[REDACTED]

ALL
(6/13)

NOTE: FOR INFORMATION REGARDING THIS SUBPOENA

CONTACT:

STEPHEN HORN, PAUL ROBERT, ROOM 421, U.S. COURTHOUSE,

PAGE THREE SD 66-1782 CLEAR

FOLEY SQUARE, NEW YORK, NEW YORK."

SA [REDACTED] IS CURRENTLY ON ANNUAL LEAVE, RETURNING TO
DUTY ON AUGUST 30, 1976. HE HAS BEEN NOTIFIED AND GIVEN
SUBPOENA. UACB, SA [REDACTED] WILL TRAVEL TO NEW YORK IN
TIME TO APPEAR AS DIRECTED.

BT

(6/16), (7/10)

(6/13)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW /
cal

Date of Mail AUGUST 27, 1976

~~CONFIDENTIAL~~

Has been removed and placed in the Special File Room of Records Section.

~~CONFIDENTIAL~~
SP4JRM/cal
8-27-96
8-29-82

See File 66-2554-7530 for authority.

~~CONFIDENTIAL~~

Surreptitious Entries

Subject JUNE MAIL - TECHNICAL SURVEILLANCE - GENERAL

F321

79 SEP 09 1976

Removed By

62-117166-57K2

File Number

~~66-8160-3897~~

Permanent Serial Charge Out

FBI/DOJ

F B I

Date: 8/31/76

Transmit the following in _____

(Type in plaintext or code)

AIRTEL

(Precedence)

TO: DIRECTOR, FBI
(ATT: OFFICE OF LEGAL COUNSEL)
FROM: ASSISTANT DIRECTOR, NEW YORK
RE: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF SURREPTITIOUS ENTRIES

ReNYtelcall to Bureau, 8/31/76.

Enclosed are two copies of a show-cause order directing the Assistant Attorney General of the United States, Chief of Civil Rights Division, to show cause at 11:00 AM on 9/3/76 why an order should not be entered quashing a subpoena served upon Special Agents [REDACTED] and [REDACTED] (4/3)

U. S. District Judge HENRY WERKER, SDNY, signed the enclosed show cause order on 8/31/76.

[REDACTED] attorney for a number of Agents in captioned matter, brought the enclosed document to my office this afternoon with a request that the Agents who have subpoenas pending be advised of the Judge's signing of the order.

This is being submitted to the Bureau for information.

2 - Bureau (Enc.2)
1 - New York

EX-113

REC-29

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

ENCLOSURES - BUREAU (2)

RE: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

21

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.



Deleted under exemption(s) (b)(1)(3) with no segregable material available for release to you.



Information pertained only to a third party with no reference to you or the subject of your request.



Information pertained only to a third party. Your name is listed in the title only.



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For your information: _____



The following number is to be used for reference regarding these pages:

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 X FOR THIS PAGE X
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-31-96 BY SP4EWO/

Date of Mail JUL 21 1976

Has been removed and placed in the Special File Room of Records Section.

SP4EWO/ -
8-31-96
4-19-82

See File 66-2554-7530 for authority

Subject

JUNE MAIL

Subscriptions & Status
~~CASINICAL SURVEILLANCE-GENERAL~~

Removed By 79 SEP 16 1976

File Number 66-117106-5784
66-1160-3961

Permanent Serial Charge Out

PLAINTEXT

TELETYPE

URGENT

TO ALL SACS

6/15/76

FROM DIRECTOR FBI

CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTITIES.

CAPTIONED INVESTIGATION HAS BEEN INSTITUTED WITH THE
ASSISTANCE OF SELECTED BUREAU AGENTS. BUREAU EMPLOYEES
SHOULD COOPERATE WITH THIS INVESTIGATION. COOPERATION
SHOULD INCLUDE MAKING AVAILABLE TO CIVIL RIGHTS DIVISION
ATTORNEYS OR AGENT TASK FORCE INVESTIGATORS ANY FILES
REQUESTED EXCEPT INFORMANT FILES, REQUESTS FOR WHICH
SHOULD BE REFERRED TO ME FOR RESOLUTION WITH ASSISTANT
ATTORNEY GENERAL, CIVIL RIGHTS DIVISION. SPECIAL AGENTS
CONTACTED AND INFORMED THAT THEY ARE SUBJECTS OF THIS
INVESTIGATION AND REQUESTED TO BE INTERVIEWED ARE
ENCOURAGED TO COOPERATE IN THIS INVESTIGATION BUT SHOULD
UNDERSTAND PLAINLY AND UNEQUIVOCALLY THAT THERE WILL
BE NO ADMINISTRATIVE PENALTY APPLICABLE TO THEM IF THEY

- 1 - Mr. Callahan (Sent direct)
- 1 - Mr. Jenkins (Sent direct)
- 1 - Mr. Adams (Sent direct)
- 1 - Each Assistant Director (Sent direct)
- 1 - Richard Long

31-82

SP4JRM/cal

JBA

SEE NOTE LAST PAGE

6/16/76
6/16/76

ENCLOSURE

58

TELETYPE TO ALL SACS
RE: CIVIL RIGHTS DIVISION CRIMINAL INVESTIGATION, etc.

EXERCISE THEIR CONSTITUTIONAL RIGHTS (THE PRIVILEGE
AGAINST SELF-INCRIMINATION) IN DECLINING TO ANSWER
QUESTIONS.

THE ASSISTANT ATTORNEY GENERAL ADVISES 'INASMUCH AS
ANY DECISIONS REGARDING IMMUNITY WOULD AT THIS STAGE BE
PREMATURE, WE ARE SPECIFICALLY CONCERNED THAT NO PROMISE
OR EVEN INFERENCE BE COMMUNICATED TO ANY AGENTS THAT
SOME UNDERSTANDING WITH RESPECT TO IMMUNITY HAS ALREADY
BEEN REACHED. "

EMPLOYEES SHOULD BE MADE AWARE THAT REQUESTS FOR
THE APPOINTMENT OF COUNSEL WILL BE FORWARDED TO THE
DEPARTMENT OF JUSTICE FOR DECISION AS TO WHETHER PRIVATE
COUNSEL WILL BE PAID FOR WITH GOVERNMENT FUNDS. QUESTIONS
CONCERNING THE AVAILABILITY OF COUNSEL SHOULD BE PRESENTED
TO THE LEGAL COUNSEL DIVISION, FBIHQ.

NOTE: Based on memorandum to James Adams from J. Stanley
Pottinger, Assistant Attorney General, Civil Rights Division, captioned
"Advising the New York Division of the Surreptitious Entry Investigation,"
June 14, 1976.

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET2

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
_____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-117166-58X

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 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

1 - Mr. Leavitt
1 - Mr. Mintz
1 - Mr. Long

Assistant Attorney General
Civil Rights Division

July 19, 1976

1 - Mr. Farrington

Director, FBI

58X

REC-64

ST 106

SURREPTITIOUS ENTRY INVESTIGATION

This memorandum will confirm conversations held during a meeting on July 13, 1976, with you, Mr. William L. Gardner, Deputy Associate Director James B. Adams and Inspector - Deputy Assistant Director James C. Farrington relative to your memorandum of July 9th, captioned as above, a copy of which is enclosed for your convenience.

In connection with the restrictions set forth in paragraph 2 of your memorandum that no one in the Bureau should communicate or discuss with any subject agent any matter concerning this investigation, unless a written communication to them has been approved beforehand by you, your memorandum to me of July 12th, a copy of which is also enclosed, modifies those instructions to the degree that a subject agent who freely chooses to initiate a conversation with a colleague or other Bureau personnel may do so, and is not subject to this rule. You also agreed that for the purpose of communicating your instructions to those employees involved, we should only notify those field offices to which the subject agents are currently assigned and FBI Headquarters personnel. Attached is a copy of such communication which was telephonically read to you by Mr. Farrington on July 16th and which you approved for transmittal as indicated above.

With regard to paragraph 3 of your July 9th memorandum, you were assured that we would not tolerate any employee hampering or interfering with this inquiry in any manner. In addition you were also assured that another agent would handle, as far as possible, any classification problems arising in connection with this inquiry and particularly in connection with classification questions arising as to documents or information involving the Weather Underground. However, it was also noted that we reserved the right to consult with [redacted] from time to time in his capacity as the Bureau's Classification Officer.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgnt.
Spec. Inv.
Training
Telephone Rm.
Director's Sec'y

JCF

(8)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4 JRM/cal

6616
GVC

R. H. H.

34 OCT 8 1976

1976

MAIL ROOM ☐

TELETYPE UNIT ☐

Assistant Attorney General
Civil Rights Division

(6/16/70)
If we deem it necessary. Please be assured that there has been no information coming to our attention which would indicate that [REDACTED] actions in this inquiry have been anything but in furtherance of his responsibilities as the FBI's Classification Officer and were in no way designed to impede or interfere with this inquiry.

Attached for your information is a copy of a letter we are directing to eight agents who have already been advised by Mr. William L. Gardner that they are to be interviewed concerning this matter and who have also been telephonically contacted by our Legal Counsel Division and advised that they have been excused from their employment agreement. A copy of this letter was previously made available to Mr. Gardner on July 14th, and he advised he had no objections to such a letter being sent. This same letter will also be sent to other individuals who Mr. Gardner contacts for the purpose of arranging interviews upon Mr. Gardner's advising our Legal Counsel Division of the identity of such individuals, both current and former employees.

Enclosures - 4

1 - Mr. William L. Gardner
Civil Rights Division

APPROVED: _____	Ext. Affairs _____	Laboratory _____
Assoc. Dir. _____	Fin. & Pers. _____	Legal Coun. _____
Dep. AD Adm. _____	Gen. Inv. _____	Plan. & Insp. _____
Dep. AD Inv. _____	Ident. _____	Rec. Mgmt. _____
Asst. Dir. _____	Inspection _____	Spec. Inv. _____
Adm. Serv. _____	Intell. _____	Training _____

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
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_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

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UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Asst. Dir. for Adm. Serv.
Asst. Dir. for Inv. & Insp.
Asst. Dir. for Legal Coun.
Asst. Dir. for Plan. & Insp.
Asst. Dir. for Rec. Mgmt.
Asst. Dir. for Tech. Serv.
Asst. Dir. for Training
Asst. Dir. for Public Affs.
Asst. Dir. for Int. Affs.
Asst. Dir. for Liaison & Int. Affs.
Asst. Dir. for Records & Com. Serv.
Asst. Dir. for Security

TO : Mr. J. B. Adams

DATE: 7/15/76

FROM : Legal Counsel *JA*

SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

6/17/76

PURPOSE:

To obtain authorization to send the attached letter to 8 Special Agents who have been contacted by the Department in connection with captioned inquiry.

RECOMMENDATION:

That authorization be granted to send attached letter to appropriate Agents to be interviewed by the Civil Rights Division concerning surreptitious entries.

Mr. Tolson	Mr. Mohr	Mr. Bishop
Mr. Casper	Mr. Callahan	Mr. Conrad
Mr. Felt	Mr. Gale	Mr. Rosen
Mr. Gurnea	Mr. Harbo	Mr. McGuire
Mr. Hendon	Mr. Jones	Mr. Mumford
Mr. Pennington	Mr. Quinn	Mr. Tavel
Mr. Nease	Mr. Sullivan	Mr. Walters
Mr. Rosen	Mr. Tavel	Mr. Trotter
Mr. Sullivan	Mr. Walters	Mr. Wilkins
Mr. Tavel	Mr. Trotter	Mr. Wilkins
Mr. Trotter	Mr. Wilkins	Mr. Wilkins
Mr. Wilkins	Mr. Wilkins	Mr. Wilkins

DETAILS:

Pursuant to a meeting attended by Assistant Attorney General J. Stanley Pottinger, Mr. William L. Gardner, who is handling this investigation, Deputy Associate Director James B. Adams and Inspector - Deputy Assistant Director James C. Farrington on 7/13/76, it was suggested that a letter be drafted for the purpose of being sent to Agents who have been contacted by the Civil Rights Division and advised that they would be interviewed in connection with captioned inquiry. Attached is a draft of such a letter which has already been approved by Mr. William Gardner, Civil Rights Division.

Enc.

- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Long
- 1 - Mr. Farrington

JCF
(5)

ST-113

6/17/76



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Draft

Dear

In connection with the current investigation being conducted by the Civil Rights Division (CRD) concerning surreptitious entries, I advised all Special Agents in Charge by teletype of June 15, 1976, that the Bureau was cooperating with the CRD in this inquiry and encouraged those employees contacted and informed that they are subjects of this investigation to also cooperate. In furtherance of the information set forth in the above referenced teletype, the CRD has requested me to advise and encourage you to consult counsel, if you have not already done so. For that purpose, you are hereby released from the provisions of your Employment Agreement (FD-291) subject only to the possible need for security clearances of your counsel as discussed below.

My prior communication of June 15, 1976, did not suppose that information and material to be provided to your counsel in connection with this investigation is necessarily classified or subject to the nondisclosure requirements of 28 C. F. R. Part 17. However, in the event that you believe that material or information provided to counsel is so classified, you should inform your counsel of that belief and advise him that he may contact the Civil Rights Division for guidance as to whether a security clearance of counsel is necessary, and if so, by what process the clearance can be sought and obtained.

SURE

79

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:

- Admin. Serv.
- Ext. Affairs
- Fin. & Pers.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Lab.
- Legal Coun.
- Plan. & Eval.
- Rec. Mgmt.
- Tech. Serv.
- Training

TO : Mr. J. B. Adams

DATE: 7/22/76

FROM : Legal Counsel

SUBJECT: CIVIL RIGHTS DIVISION
SURREPTITIOUS ENTRY INVESTIGATION

PURPOSE:

To record memoranda received from the Department which authorizes the disclosure of classified information by FBI employees, who are subjects of this inquiry, to their attorneys, as well as authorization for such attorneys, who have received the proper clearance from the Department of Justice, to receive such information, pursuant to regulations set forth in Title 28, Code of Federal Regulations, Sections 17.58 and 17.64.

DETAILS:

Pursuant to prior oral requests for authorization from the Department to allow our employees who are subjects of current inquiry to discuss classified information with their attorneys, if they feel this is necessary, Mr. William L. Gardner has now made available copies of communications dated and identified as follows:

1. Memorandum from The Attorney General to Glen E. Pommerening, Assistant Attorney General for Administration, dated June 30, 1976, captioned "Clearance of Attorneys for Access to Classified Information";

2. Memorandum from The Attorney General to Mr. Pommerening, dated July 12, 1976, captioned "Civil Rights Division Surreptitious Entry Investigation";

3. Copy of a proposed letter which will be sent by the Department to lawyers representing our employees advising them that they have ~~cleared~~ them to receive classified information.

RECOMMENDATION: For information.
Encl.

- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Long
- 1 - Mr. Farrington

APPROVED: _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

23 SEP 10 1976

JCE

4 SEP 12 0 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

(6)(7)(C)

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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OFFICE OF INFORMATION AND PRIVACY, was/were forwarded to them for direct response to you.

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☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-117166-60

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 X FOR THIS PAGE X
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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 6/30/76

FROM : Legal Counsel

SUBJECT: CIVIL RIGHTS DIVISION
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

Atty. Gen.
Dir. AD Adm.
Dir. AD Inv.
Asst. Dir. for:
Adm. Serv.
Ext. Aff.
Ident.
Insp.
Intell.
Lab.
Legal Coun.
Off. Cong. & Public Aff.
Rec. Mgmt.
Tech. Serv.
Training
Telephone Rm.
Director's Sec'y

PURPOSE:

To release from existing employment agreement, the Agents listed herein for the purpose of discussing their prior actions with their private counsel.

SYNOPSIS:

The Agents listed herein have been advised by the Civil Rights Division that they are the subject of investigation concerning their investigation of surreptitious entries. Agents have secured private counsel and in order to discuss their prior actions with these counsels, they are requesting a release from existing employment agreement for this purpose.

RECOMMENDATIONS:

1. That the Agents listed herein be released from existing employment agreement for purposes of discussing their prior actions with their private counsel.

- REC-42
- 62-117166-61
- 23 SEP 10 1976
- LEGAL COUN.
- 1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Personnel file SA [REDACTED]
1 - Mr. Leavitt
1 - Mr. Walsh
1 - Mr. Mintz 1 - Mr. Richard Long

(13)

CONTINUED - OVER

84 SEP 20 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

Memorandum to Mr. Adams
Re: Civil Rights Division Criminal Investigation
of Surreptitious Entries

RECOMMENDATIONS (CONT'D)

2. That ~~SAC Richard~~ Long telephonically contact these Agents and so advise them.

217

Adm. Serv.	Ext. Aff.	Laboratory
Ident. Div.	Files & Com.	Legal Coun.
Insp.	Gen. Inv.	Plan. & Eval.
Intell.	Ident.	Rec. Mgmt.
Lab.	Inspection	Spec. Inv.
Legal Coun.	Intell.	Training

DETAILS:

The below-listed Agents have been advised that they are the subject of investigation by the Civil Rights Division in their investigation of surreptitious entry matters. The Agents have secured private counsel and in order for them to have discussions with their attorneys concerning their activities, they are requesting a release from existing employment agreement for this purpose.

The Agents who have requested this release are as follows:

SA [REDACTED] Detroit

SA [REDACTED] New York

SA [REDACTED] Albany

SA [REDACTED] New York

SA [REDACTED] New York

SA [REDACTED] New York

SA [REDACTED] New York

SA [REDACTED] FBIHQ

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

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- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
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_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

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FBI

Date: 8/27/76

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (66-8160)
(ATTN: JAMES C. FARRINGTON
LEGAL COUNSEL OFFICE)

FROM: SAC, DETROIT (66-4910)

CIVIL RIGHTS DIVISION, CRIMINAL
INVESTIGATION OF SURREPTITIOUS ENTRIES

Re Detroit teletype to Bureau 8/18/76 and Bureau teletype to
Detroit 8/20/76.

Enclosed for the Bureau are eight (8) copies of an LHM,
dated and captioned as above.

Referenced Detroit teletype set forth requests of SAs [redacted]
[redacted] and [redacted] to travel to New York City.
The purpose of this trip would be to review files maintained
by the New York Division in connection with above captioned
matter. This file review would be conducted in order to
refresh their recollections as to their investigative activities
while assigned to the New York Division, out of which allegations
against them have arisen. Special Agents, assigned to the New
York Division and against whom similar allegations have been
made, have been afforded this opportunity to review these files.
In addition, a Special Agent assigned to the Charlotte Division
was authorized travel to Detroit for the same purpose. To deny
SAs [redacted] and [redacted] this opportunity would be grossly unfair and
unjust.

SAC, Detroit, strongly recommends that favorable consideration
be given to these requests and asks that enclosed LHM be forwarded
to the Justice Department for their consideration.

- ② - Bureau (Enc. 8)
3 - Detroit

- (1 - Personnel File SA [redacted])
(1 - Personnel File SA [redacted])

(5)

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1974-555-574

PER. REC. UNIT



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Detroit, Michigan
August 27, 1976

Civil Rights Division
Criminal Investigation of
Surreptitious Entries

**ALL (b)(6)
6/1/76**

On June 16, 1976, and June 13, 1976, William Gardner, Departmental Attorney, Civil Rights Division, Washington, D.C., advised Special Agents [REDACTED] and [REDACTED] respectively, that the Justice Department is currently conducting an inquiry concerning allegations that FBI Agents surreptitiously entered private premises in New York, New York, within the last five years and stated that Special Agents [REDACTED] and [REDACTED] are both considered subjects of this inquiry. Mr. Gardner requested that Special Agents [REDACTED] and [REDACTED] travel at Government expense to Washington, D.C., for the purpose of being interviewed by Government officials. Mr. Gardner also suggested that Special Agents [REDACTED] and [REDACTED] might consider obtaining private counsel in this matter. Special Agents [REDACTED] and [REDACTED] have both obtained private counsel to represent their interests in this matter.

Special Agents [REDACTED] and [REDACTED] were both formerly assigned to the New York Division, Special Agent [REDACTED] having been assigned there from July 1968 until January 1973, and Special Agent [REDACTED] assigned there from February 1971 until August 1975. Due to the period of time that has transpired since their initial assignment to the New York Division and due to the voluminous amount of material handled by them during this period, many facts pertaining to their investigative activities while assigned to New York have become uncertain. Both of these Agents feel that in order to properly discuss this matter with Departmental attorneys, other Governmental officials or their own attorneys, it is necessary that they review the files contained in the New York Division so as to refresh their recollections as to the events and circumstances out of which the current allegations arose.

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

6/6/61
7/10/61

Re: Civil Rights Division Criminal
Investigation of Surreptitious Entries

Therefore, Special Agents [redacted] and [redacted] have requested that they be permitted to travel to New York City in an official business status at Government expense, for the purpose of reviewing files maintained there, these files being otherwise unavailable to them.

(6/6/61)
7/10/61

It would appear to the Special Agent in Charge, Detroit Division, that such travel should be authorized in the interest of justice and so that all of the facts surrounding these allegations can be brought to light. Due to the varied investigative assignments and cases that Agents work during the span of a five year period, it is understandable that recollections become clouded and uncertain. Prior to these Agents answering any inquiries that the Government might have concerning the allegations against them, they should be permitted to review the files in the New York Division pertaining to their investigative activities while assigned there. Special Agents, currently assigned to the New York Division and against whom similar allegations have been made, have been afforded the opportunity to review these files. In addition, at least one other Special Agent has been permitted to travel at Government expense from one field division to another for the purpose of reviewing files to refresh his recollection in this matter. To deny Special Agents [redacted] and [redacted] this same opportunity to refresh their recollection would be grossly unfair and unjust.

The Special Agent in Charge, Detroit Division, strongly recommends that Special Agents [redacted] and [redacted] be authorized to travel at Government expense from Detroit, Michigan, to New York City, for the purpose of reviewing files maintained by the New York Division.

Assistant Attorney General
Civil Rights Division
Attention: Stanley Pottinger

September 8, 1976

EX-108

REC-371

Assistant Director - Legal Counsel
Federal Bureau of Investigation
CIVIL RIGHTS DIVISION,
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

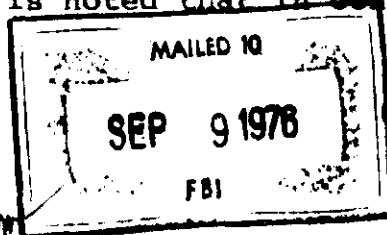
1 - Mr. Long
1 - Mr. Mintz
1 - Legal Research
1 - [REDACTED]

Enclosed are two copies of a letterhead memorandum received from our Detroit Office dated August 27, 1976.

On June 16, 1976, William Gardner, Departmental Attorney, Civil Rights Division, Washington, D.C., advised Special Agents [REDACTED] and [REDACTED] respectively, that the Justice Department is currently conducting an inquiry concerning allegations that FBI Agents surreptitiously entered private premises in New York, New York, within the last five years and stated that Special Agents [REDACTED] and [REDACTED] are both considered subjects of this inquiry. Mr. Gardner requested that Special Agents [REDACTED] and [REDACTED] travel at Government expense to Washington, D.C., for the purpose of being interviewed by Government officials. Mr. Gardner also suggested that Special Agents [REDACTED] and [REDACTED] might consider obtaining private counsel in this matter. Special Agents [REDACTED] and [REDACTED] have both obtained private counsel to represent their interests in this matter.

Both of these Agents feel that in order to properly discuss this matter with Departmental Attorneys or their attorneys, it is necessary to review files contained in FBI New York Division Office, and request that they be permitted to do so in an official business status at Government expense, their files being otherwise unavailable to them.

As alluded to in enclosed letterhead memorandum, a Special Agent has been permitted to travel in the recent past from one FBI Office to another, for file review purposes in connection with a civil suit. In that instance, it is noted that in connection with a recent



See NOTE - Next Page)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
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Ident. _____
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Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director _____

84 DEC 17 1976

ROOM ☒

TELETYPE UNIT ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4JEM/64

Assistant Attorney General
Civil Rights Division

Department request for an affidavit during June 1976, in conjunction with the Socialist Workers Party matter, a Special Agent of our Charlotte Office was authorized to travel from Charlotte to Detroit at Government expense to review pertinent files to permit him to refresh his recollection to allow for a more meaningful affidavit response.

(b)(6)
(b)(7)(C)

Your opinion is requested as to whether in the criminal matter concerned here it would be a proper use of Government funds to allow the travel of Special Agents [redacted] and [redacted] at Government expense.

Enclosures (2)

NOTE: By Detroit teletype to Bureau dated 8-18-76 captioned: "Civil Rights Division, Criminal Investigation of Surreptitious Entries", Detroit requested consideration be given to allowing Detroit Agents named to travel by GTR, place on Administrative Leave and be granted per diem. The matter was coordinated with Finance and Personnel Division and favorable consideration not given at that time.

JK

APPROVED:	Ext. Affairs.....	Laboratory.....
Assoc. Dir.	Fin. & Inv.	Ident.
Dep. AD Adm.	Gen. Inv.	Rec. Mgmt.
Dep. AD Inv.	Ident.	Spec. Inv.
Asst. Dir.:	Inspection	Training
Adm. Serv.	Intell.	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

X
Date of Mail 9/1/76

Has been removed and placed in the Special File Room of Records Section.

1543 em/cal
9-1-96
3-29-82

See File 66-2554-7530 for authority.

X
Subject JUNE MAIL Surveillance Entries
TECHNICAL SURVEILLANCE - GENERAL

Removed By 97 OCT 12 1976

62-117166-63X

File Number 66-9160-3268

Permanent Serial Charge Out

NYC008 248223

RR HQ

DE NY

R 24227Z SEP 76

FM NEW YORK

TO DIRECTOR

BT

E F T O

ATTN: OFFICE OF LEGAL COUNSEL

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES

100-8100-34-364
RENYAIRTEL, AUGUST 31, 1976.

ON SEPTEMBER 3, 1976, UNITED STATES DISTRICT JUDGE HENRY
WERKER, SOUTHERN DISTRICT OF NEW YORK (SDNY), DENIED SHOW
CAUSE ORDER TO ~~X~~ QUASH SUBPOENAS SERVED TO THE SPECIAL
AGENTS. REC-16 69-117166-64
EX-113

WERKER CITED THE MOTION AS PREMATURE BECAUSE NO VIOLATION
OF THE FIFTH AMENDMENT OCCURS UNTIL INCRIMINATING QUESTIONS
ARE ASKED BY THE GRAND JURY.

WERKER STATED THAT AGENTS CAN REFUSE TO ANSWER QUESTIONS
THAT THEY FELT WERE A VIOLATION OF NATIONAL SECURITY. IF AN
AGENT REFUSES TO ANSWER DUE TO NATIONAL SECURITY, IT WILL BE.

R. Long
Sgt

PAGE TWO NY E F T O

UP TO THE ATTORNEY GENERAL TO DECIDE IF THE QUESTION DOES INVOLVE THE VIOLATION OF NATIONAL SECURITY.

WEEKER FURTHER STATED THAT THE GRAND JURY DOES NOT VIOLATE THE AGENTS FIRST AND FOURTH AMENDMENT RIGHTS. HE STATED THE GRAND JURY WAS A LEGAL INVESTIGATIVE TOOL.

THIS IS BEING SUBMITTED FOR INFORMATION OF THE BUREAU.
BT.

10 30 8 10 10 10 10

The Attorney General

September 3, 1976

Director, FBI

1 - Mr. Ash
1 - Mr. Decker
1 - Mr. Gallagher
1 - Mr. Mintz

SURREPTITIOUS ENTRIES
CLASSIFICATION MATTER

In connection with the Civil Rights Division investigation into surreptitious entries, certain Agents were subpoenaed to appear before a grand jury impaneled in the Southern District of New York and the attorney for these Agents is attempting to quash the subpoenas for various reasons, including the fact that members of the grand jury have not been cleared to receive classified information and the Agents are not able to reveal such classified information pursuant to national security regulations.

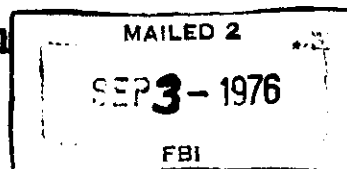
Special Agent [REDACTED] has been subpoenaed to appear before a grand jury in Washington, D. C., on September 3, 1976, and although his attorney attempted to defer his appearance pending resolution of the motion in New York such action was not agreed to by the Civil Rights Division.

[REDACTED] has advised that because the Weatherman investigation has been held by the Department Review Committee to be a national security investigation, and sources and methods of intelligence related thereto are classifiable, he is requesting that you be asked to resolve the conflict between his subpoena to testify and restrictions imposed by Title 28, CFR, Sections 17.3 and 17.64 and Executive Order 11652. In view of the dilemma and after discussing the matter with his attorney, he has advised he intends to decline to testify and has furnished a copy of the statement he intends to make as the reasons for his declination.

In order that this Bureau may appropriately advise [REDACTED] and other employees confronted with this situation, I respectfully request your early consideration of this matter.

1 - The Deputy Attorney General

1 - Assistant Attorney General
Civil Rights Division



17 SEP 22 1976

SEE NOTE, PAGE 2

FBI/DOJ

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4 JRM/ae

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____

JBA [REDACTED]

8-1 DEC 7 1976
TELETYPE UNIT ☐

The Attorney General

NOTE:

See memorandum [REDACTED] to Mr. Ash,
9/3/76, "Surreptitious Entries, Classification Matter," prepared
by [REDACTED]

(6X6)
(7XC)

APPROVED: [Signature]	Ext. Affairs.....	Laboratory.....
Assoc. Dir. [Signature]	Fin. & Pers.....	Legal Coun.....
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv. [Signature]	Ident.....	Rec. Mgmt.....
Asst. Dir.: [Signature]	Inspection.....	Spec. Inv.....
Adm. Serv. [Signature]	Intell.....	Training.....

Date of Mail 9/3/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

SP4Jem/cal
3-29-82

Suspicious Entries
Subject JUNE MAIL - ~~PERSONAL SURVEILLANCE~~ - GENERAL

Removed By 97 OCT 4 1976

File Number 102-117146-65X
~~66-2160-3065~~

Permanent Serial Charge Out

FBI

Date: 9/3/76

Transmit the following in _____

AIRTEL

(Type in plaintext or code)

Via _____

(Precedence)

TO: DIRECTOR, FBI (66-8160)
ATTENTION: Legal Counsel Division

FROM: SAC, DETROIT (66-4910)

CIVIL RIGHTS DIVISION,
CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

SAs [REDACTED] and [REDACTED] of the Detroit Division were served with subpoenas on 9/2/76 and 9/3/76, respectively by Deputy U. S. Marshals. These subpoenas instructed SA [REDACTED] to appear before the Federal Grand Jury in New York City at 10:00 AM on 9/8/76, and SA [REDACTED] was instructed to appear at 10:00 AM, 9/9/76.

Both Agents have notified their counsel [REDACTED] who has indicated he will advise them concerning legal actions he will pursue regarding their appearance before the Grand Jury.

The Bureau will be kept advised.

② - Bureau
① - Detroit

(3)

REC-29

62-117166-65X1

3/0

Red

5 SEP 13 1976

EX-113

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4 JEM/cal

7326
1000 00000

Approved: [Signature]

Special Agent in Charge

Sent _____

M

Per _____

64 SEP 16 1976

September 2, 1976

1 - Mr. Long
1 - Mr. Mintz
1 - Civil Litigation Unit

Dear [REDACTED]

I have received the copy of your letter to Attorney General Levi dated August 26, 1976.

I know you would want to know in connection with the current investigation being conducted by the Civil Rights Division (CRD) concerning surreptitious entries, I advised all Special Agents in Charge by teletype dated June 15, 1976, that the Bureau was cooperating with the CRD in this inquiry and encouraged those employees contacted to also cooperate.

In my communication of June 15, 1976, referred to above, I did not suppose that information and material to be provided to counsel in connection with this investigation are necessarily classified or subject to the nondisclosure requirements of Title 18, Code of Federal Regulations, Part 17. However, in the event that information you propose to provide to counsel is so classified, you should inform him of that belief and advise him that he may contact the CRD for guidance as to whether a security clearance of counsel is necessary and, also, by what process the clearance can be sought and obtained.

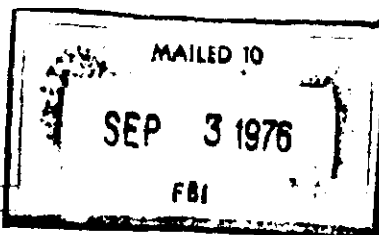
In response to your request, you are hereby released from the provisions of your Employment Agreement (FD-291) subject only to the possible need for security clearance of your counsel as discussed above.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

SEP 20 1976



Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
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Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____

1 - Assistant Attorney General
Civil Rights Division
Attention: Mr. William L. Gardner

1 - Personnel file folder of SA [REDACTED]

JCF [REDACTED]

APPROVED: [Signature]

Assoc. Dir. [Signature]

Dep. AD Adm. [Signature]

Dep. AD Inv. [Signature]

Asst. Dir.: [Signature]

Adm. Serv. [Signature]

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
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Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
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Training _____

84 SEP 24 1976

TELETYPE UNIT ☐

GPO : 1976 O - 371-526

KDZNY0333 2490033Z

RR HQ

DE NY

R 050023Z SEP 76

FM NEW YORK

TO DIRECTOR (ROUTINE)

BT

ATTN: OFFICE OF LEGAL COUNSEL CIVIL RIGHTS DIVISION, CRIMINAL
INVESTIGATION OF SURREPTITIOUS ENTRIES.

RE NEW YORK TELETYPE DTD SEPTEMBER 3, 1976.

FOR THE INFORMATION OF THE BUREAU THE SEPTEMBER 3, 1976
DECISION OF USDJ HENRRY WERKER CONCERNING A MOTION TO QUASH
FGJ SUBPCENAS HAS BEEN APPEALED TO THE 2ND CIRCUIT.

ATTY [REDACTED] ADVISED ON SEPTEMBER 4, 1976 THAT
A DECISION ON THE APPEAL WILL BE HANDED DOWN 9:20AM SEPTEMBER
7, 1976.

BUREAU WILL BE KEPT ADVISED.

BT#

Dep. Dir. Adm. _____
Dep. Dir. Inv. _____
Asst. Dir. _____
Adm. Serv. _____
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Lab. _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director _____

[REDACTED]

[REDACTED]

ALL
(4/6)
C/E

EX 104
REC-37

67

SEP 9 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY SP4 JRM/cal

W. J. Smith

84 SEP 24 1976

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 8/31/76

FROM : Legal Counsel

SUBJECT: CIVIL RIGHTS DIVISION'S CRIMINAL
INVESTIGATION OF SURREPTITIOUS ENTRIES

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir. for:
Adm. Serv.
Ext. Affs.
Files & Com.
Gen. Inv.
Ident.
Insp.
Intell.
Lab.
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

PURPOSE: To respond to a letter from [REDACTED] and to set forth policy concerning release of Agents from their employment agreement for the purpose of consulting with private counsel.

SYNOPSIS: [REDACTED] telephoned Legal Counsel Division on 7/29/76 to report contact by Department representative pertaining to Civil Rights Division's (CRD's) surreptitious entries investigation. [REDACTED] requested release from employment agreement advising he had retained counsel. By letter dated 8/9/76, we advised [REDACTED] of his release. On 8/13/76 [REDACTED] responded stating our letter inferred he was a subject, which was not true. The Director noted, "What about this?" Our letter was not intended to infer any recipient was a "subject," "suspect," or "witness."

RECOMMENDATION:

1) That attached letter to [REDACTED] be approved and sent.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11-11-81 BY SP-113

- 1 - Mr. Long
- 1 - Mr. Mintz
- 1 - [REDACTED]

(4)

(CONTINUED--OVER)

84 OCT 5 1976

5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

Memorandum to The Associate Director
Re: Civil Rights Division's Criminal
Investigation of Surreptitious Entries

ALL
(6/16)
(6/17/60)

DETAILS: When the CRD's investigation into surreptitious entries was initiated, we were furnished a list of Agents who were considered subjects of the inquiry. Many of these Agents contacted FBIHQ advising they were consulting private counsel and were desirous of being released from their employment agreement. At this time, a letter was prepared by Legal Counsel Division which it was felt would suffice for this purpose.

On 7/29/76 [REDACTED] Atlanta Division, telephoned Legal Counsel Division to report a contact by a representative of the CRD. This representative stated that he desired to speak to [REDACTED] concerning the CRD's inquiry. [REDACTED] stated that he informed the Department representative that he desired to consult with private counsel, and that he was contacting the Legal Counsel Division to request a release from the provisions of his employment agreement. On 8/ 9/76, we forwarded the above-mentioned letter. This letter uses the sentence, "The CRD has requested me to advise and encourage you to consult counsel, if you have not already done so." This sentence was based on discussions between representatives of the Legal Counsel Division and the Department.

By letter dated 8/13/76 [REDACTED] took exception to this sentence and stated that he believes it prejudicial, as it implies that he is being investigated as a subject. He requested that our letter be removed from his personnel file and the record be made clear that he was contacted by the Department for interview only.

The letter which was prepared by Legal Counsel Division for submission to Agents who have requested release from their employment agreements was designed to fit all categories, i.e., subject or witness, and was not intended to infer that anyone was a "subject," "suspect,"

(CONTINUED--OVER)

Memorandum to The Associate Director
Re: Civil Rights Division's Criminal
Investigation of Surreptitious Entries

or "witness." It was designed to serve as good advice to anyone involved in this inquiry.

For your information, this matter has been discussed with representatives of the Department and it was decided that it was not necessary to release all Agents contacted by the CRD from their employment agreement. This was based on the fact that many of the Agents contacted by CRD are no more than witnesses in this investigation. The Department has advised, however, that people interviewed can subsequently become subjects as the result of additional investigation.

(6)(6)
(7)(C)

In view of the above, Legal Counsel Division will no longer notify Agents who retain private counsel that they are being released from their employment agreement unless we determine that they have been designated a subject of the investigation, or unless they specifically request to be released. In line with this, it is recommended that attached letter to [REDACTED] be approved and sent. We recommend that [REDACTED] letter and our answer be retained in files as evidence of our intentions.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 11 1976
370
TELETYPE

Y0380 2512205Z

R HQ

E NY

072140Z SEP 76

M NEW YORK

O DIRECTOR ROUTINE

T

F T O

ATTENTION OFFICE OF LEGAL COUNSEL

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES.

RE NEW YORK TELETYPE, SEPTEMBER 4, 1976.

ATTORNEY [REDACTED] FCIA, ADVISED ON SEPTEMBER
, 1976, THAT A THREE JUDGE PANEL RULED THAT AGENTS DO HAVE
TO APPEAR BEFORE THE FEDERAL GRAND JURY.

[REDACTED] STATED THE DECISION WAS BASED ON THE FACT
THE REQUEST FOR A STAY ORDER WAS PREMATURE SINCE THE QUESTIONS
PERTAINING TO THE 5TH AMENDMENT AND NATIONAL SECURITY DO NOT
ARISE UNTIL AGENTS ARE ACTUALLY QUESTIONED.

BT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4 JGM/cal

REC-33

EX-113

4 OCT 5 1976

m/pt

Del

[REDACTED]

ALL

(4/6)
(2/6)

69

UNITED STATES GOVERNMENT

Memorandum

TO : MR. ASH

DATE: 9-3-76

FROM : [REDACTED]

~~CONFIDENTIAL~~

SUBJECT: SURREPTITIOUS ENTRIES
CLASSIFICATION MATTER

Asst. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
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Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

~~Classified by SP4ELW/cal
Declassify on: OADR
5-20-83~~

PURPOSE: To advise of classification problems concerning my appearance before the Federal Grand Jury (FGJ), Washington, D.C., 9-3-76 and recommend the matter be resolved with the Attorney General.

RECOMMENDATION: Because the Weatherman investigation has been held by the Departmental Review Committee (DRC) to be a national security investigation and matters related thereto are classified up to and including "Top Secret", the Attorney General be requested to resolve the conflict between my own and other subpoenas to the FGJ to testify and restrictions imposed by T28, CFR, Sections 17.3 and 17.64 and Executive Order (EO 11652). Attached for approval is letter to Attorney General.

DETAILS: Memorandum of J. G. Deegan to Mr. R. J. Gallagher captioned "Departmental Review Committee (DRC) Executive Order 11652", dated 9-1-76 contains the following statement: "By a vote of four to zero the DRC confirmed a ruling previously made at a DRC meeting on 4-8-76 which upheld the classification of a source reporting on Weatherman. The 4-8-76 ruling which was confirmed characterized the

(CONTINUED - OVER)

- (7)
- 1 - Mr. Adams
 - 1 - Mr. Mintz
 - 1 - Mr. Ash
 - 1 - Mr. Leavitt
 - 1 - Mr. Deegan

Enclosure

~~CONFIDENTIAL~~



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to MR. ASH
RE: SURREPTITIOUS ENTRIES
CLASSIFICATION MATTER

Weatherman as a national security investigation based on its public ideology advocating the overthrow of the Government and its overt use of violence seeking this end. This ruling provides that sources and methods of intelligence, including informants and surreptitious entries utilized in the Weatherman investigation, are correctly classifiable in the interest of national security. (Emphasis added).

(b)(1)

[REDACTED] (c)

(b)(5)

[REDACTED]

~~CONFIDENTIAL~~

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.



Deleted under exemption(s) (b)(1)(3) with no segregable material available for release to you.



Information pertained only to a third party with no reference to you or the subject of your request.



Information pertained only to a third party. Your name is listed in the title only.



Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):



For your information: _____



The following number is to be used for reference regarding these pages:

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 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

Memorandum

~~TOP SECRET~~

DATE: 9/7/76

TO : Mr. Kelley

FROM : A. J. Decker

~~TOP SECRET~~

SUBJECT: INVESTIGATION OF
SURREPTITIOUS ENTRIES

PURPOSE

Personal recollections and some research concerning previously dismissed indictments against Weatherman led to revelation of the additional information contained in attached LHM concerning foreign involvement of Weather Underground Organization (WUO).

SYNOPSIS

Classified by SP4ELH/col

Declassify on: OADR

Class. & Ext. By: SP4ELH/col

Reason-FCIM 1-2.4.2

Date of Review 9/7/96

RECOMMENDATION:

It is recommended attached LHM be forwarded to Civil Rights Division, Department of Justice, the Attorney General and the Deputy Attorney General.

Enclosure

- 1 - Mr. Mintz
 - 1 - Mr. Leavitt
 - 1 - Mr. Decker
- AJD (4)

APPROVED:

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.

Inspection

Intell.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.

Laboratory

Legal Coun.
Plan. & Eval.
Rec. Mgnt.
Spec. Inv.
Training

~~TOP SECRET~~

Classified by 48

Exempt from GDS, Category 2 & 3

Date of Declassification Indefinite

ENCLOSURE



34 DEC 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

~~TOP SECRET~~

Decher to Kelley

RE: INVESTIGATION OF CORRUPTIVE ACTS

ALL (6/11)

[REDACTED]

~~TOP SECRET~~ (TS)

Decher to Kelley reviews this situation as follows: [REDACTED]
[REDACTED] to the [REDACTED] Division in its [REDACTED] [REDACTED]
[REDACTED] [REDACTED] disseminated to the [REDACTED] [REDACTED]
[REDACTED] [REDACTED], the contents of this [REDACTED] [REDACTED]
[REDACTED] in the [REDACTED] [REDACTED] prepared by the Chicago Office.

[REDACTED]

~~TOP SECRET~~ (TS)

~~TOP SECRET~~

~~TOP SECRET~~

ALL (b)(1), (b)(6), (b)(7)(C)

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. Decker

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN OTHERWISE.

September 8, 1976

INVESTIGATION OF SUBVERSIVE ACTIVITIES
FOREIGN INFLUENCE - WEATHER
UNDERGROUND ORGANIZATION

Reference is made to FBI memorandum dated
August 20, 1976, at Chicago, Illinois, captioned, "Foreign
Influence - Weather Underground Organization (WUO)". The
following is designed to supplement referenced memorandum.

All paragraphs herein are unclassified unless
otherwise noted at the conclusion of the paragraph.

[REDACTED]

(S) (T.S.)

[REDACTED]

(S) T.S.

[REDACTED]

(S) (T.S.)

- Assoc.
- Dep.
- Dep.
- Asst. Dir.
- Adm.
- Ext.
- Fin.
- Gen.
- Ident.
- Insp.
- Intell.
- Laboratory
- Legal Coun.
- Plan. & Eval.
- Rec. Mgnt.
- Spec. Inv.
- Training
- Telephone Rm.
- Director Sec'y

AJD
(8)

MAIL ROOM ☐

~~TOP SECRET~~

Classified by 78
Exempt from GDS, Category 2 & 3
Date of Declassification Indefinite
ENCLOSURE

~~TOP SECRET~~
Date of Declassification Indefinite
3
2,3
8,9,6
SPY/INTEL

(b)(1), (b)(6), (b)(7)(C) 70X

XXXXXX
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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

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~~TOP SECRET~~

INVESTIGATION OF SURREPTITIOUS ENTRIES

On October 15, 1973, the Department of Justice filed a motion to dismiss the indictments against all defendants. The motion was granted by U. S. District Judge Damon Keith, Eastern District of Michigan. Complete information is included in the documents of the case entitled, 'William C. Ayers, et al. vs U. S.,' Criminal Number 48104, U. S. District Court, Eastern District of Michigan, Southern Division.

1 - The Attorney General

1 - The Deputy Attorney General

Chief of Dept.	Asst. Dir.:	Ident.
Adm. Serv.	Inv.	Rec. Mgmt.
Dep. Dir.	Lab.	Spec. Inv.
Dep. Asst. Dir.:	Legal Coun.	Training
Dep. for Inv.	Off. of Cong. & Public Affs.	
Asst. Dir.:	Off. of Int. Affs.	
Adm. Serv.	Ident.	

AK

~~TOP SECRET~~

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET19

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Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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For your information: _____



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COMMUNICATIONS SECTION

SEP 08 1976

TELETYPE

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RR HQ

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R 091315Z SEPT 76

FM NEW ROCHELLE

TO DIRECTOR ROUTINE

BT

C L E A R

USDJ INVESTIGATION OF SURRUPTICIOUS ENTRIES

ON SEPTEMBER 8, 1976, STEVEN HORN, USDJ, CIVIL RIGHTS DIVISION, TELEPHONICALLY CONTACTED SA [REDACTED] ADVISING THAT SA [REDACTED] IS POTENTIAL SUBJECT OF VIOLATIONS OF CIVIL RIGHTS ACTS. HORN REQUESTED SA [REDACTED] TO VOLUNTARILY APPEAR AT THE SOUTHERN DISTRICT OF NEW YORK (SDNY), FBLEY SQUARE, NEW YORK, FOR INTERVIEW. SA [REDACTED] ADVISED HORN THAT HE DESIRED NOT TO MAKE ANY STATEMENTS REGARDING CAPTIONED MATTER WITHOUT FIRST CONSULTING ATTORNEY.

SA [REDACTED] HAS RETAINED ATTORNEY [REDACTED]

Dep. AD - Adm.
Dep. AD - Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

ALL

(6/6)
OK

22 SEP 1976

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-2-82

BY SP4 JEM/alf

84 OCT 8 1976

PAGE TWO C L E A R

[REDACTED] NEW YORK, NEW YORK [REDACTED] PRESENTLY
OBTAINING SECURITY CLEARANCE.

BT

(b)(6)
(b)(7)(C)

cc - Long

Asst. Dir.:	
Adm. Serv.	
Ident.	
Inspection	
Intell.	
Lab.	
Legal Coun.	
Plan. & Eval.	
Rec. Mgmt.	
Spec. Inv.	
Training	
Telephone Rm.	

CGO 036 2571645

PP HI NY

DE CG

P 131645 SEP 76

FM CHICAGO

TO DIRECTOR PRIORITY

NEW YORK PRIORITY

BT

E F O

SURREPTITIOUS ENTRIES.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4JRM/al

FOR INFORMATION OF FBIHQ AND NEW YORK, SA [REDACTED]

[REDACTED] RECEIVED A TELEPHONE CALL FROM AN INDIVIDUAL WHO IDENTIFIED HIMSELF AS STEPHEN HORN, AN ATTORNEY FROM THE CIVIL RIGHTS DIVISION OF NEW YORK. SA [REDACTED] WAS REQUESTED TO COME TO NEW YORK TO BE INTERVIEWED BY ATTORNEY HORN REGARDING "SURREPTITIOUS ENTRIES." ATTORNEY HORN ADVISED SA [REDACTED] THAT HE WANTED TO INTERVIEW HIM INASMUCH AS HE WAS A MEMBER OF SQUAD 47 IN NEW YORK DURING THE TIME OF THEIR APPROPRIATE INVESTIGATIONS.

SA [REDACTED] ADVISED ATTORNEY HORN THAT HIS WIFE IS EXPECTED TO GIVE BIRTH TO A CHILD THIS WEEK, AND HORN ADVISED THAT THIS WOULD NOT BE A PROBLEM, HOWEVER, HE REQUESTED TO

ALL
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(7X6)

ST 104 REC-7

71X

Received
9/21/76

questions asked
answered on 9-15-76

Imp...

84 DEC 17 1976

PAGE TWO

CG

E F T O

BE TELEPHONICALLY RECONTACTED ON SEPTEMBER 13, 1976, SO THAT A DATE FOR INTERVIEW COULD BE SET.

FBIHQ IS REQUESTED TO ADVISE IF THIS REQUEST IS PROPER. IF SO, AUTHORIZATION FOR SA [REDACTED] TO TRAVEL TO NEW YORK FOR THE PURPOSE DESCRIBED ABOVE IS REQUESTED.

ATTORNEY HORN ADVISED SA [REDACTED] THAT IF HE DESIRED, HE COULD CONSULT A PRIVATE ATTORNEY PRIOR TO HIS COMING TO NEW YORK FOR THE INTERVIEW. FBIHQ IS REQUESTED TO ADVISE WHETHER THE FBI IS FURNISHING COUNSEL IN MATTERS SUCH AS THESE OR WHETHER SA [REDACTED] SHOULD RETAIN HIS OWN COUNSEL AND, IF SO, IS FBI HANDLING THE EXPENSE OF RETENTION OF PRIVATE ATTORNEY.

BT

ALL

(6/6)

(7/6)

a. Mr. Long

CLASSIFIED BY 1042, DATE 10/11/82
COMMITTEE ON ASSASSINATIONS

Assoc. Dir.	_____
Dep. AD-Adm.	_____
Dep. AD-Inv.	_____
Asst. Dir.:	
Adm. Serv.	_____
Crim. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Insp.	_____
Rec. Mgmt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

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PP HQ

DE MM

P 271724Z SEP 76

FM MIAMI (66-189C-470) (P)

TO DIRECTOR (PRIORITY)

BT

E F T O

ATTENTION LEGAL COUNCIL DIVISION

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATIONS OF
SURREPTITIOUS ENTRIES.

RE BUTEL, JUNE 15, 1976.

ON EVENING OF SEPTEMBER 24, 1976, DEPARTMENTAL ATTORNEY,
RICHARD JOHNSON, CIVIL RIGHTS DIVISION, DEPARTMENT OF
JUSTICE, WASHINGTON, D.C., TELEPHONICALLY CONTACTED SA [REDACTED]

[REDACTED] AT HIS RESIDENCE. JOHNSON ADVISED HE WAS
ASSIGNED TO INVESTIGATE CAPTIONED MATTER INVOLVING BUREAU
AGENTS. HE HAS DETERMINED SA [REDACTED] WAS ASSIGNED TO
"WEATHERMAN SQUAD" IN NEW YORK OFFICE. JOHNSON REQUESTED SA

[REDACTED] TO TRAVEL TO WASHINGTON, D.C. AT EARLIEST DATE FOR
INTERVIEW AT HIS OFFICE. JOHNSON ADVISED HE WAS INTERVIEWING [REDACTED]
SEP 29 1976

Retain Long
P. 11115

[REDACTED]

ALL
(6/6)
(6/7/6)

REC-33

SA [REDACTED] 9/21
[REDACTED]
[REDACTED] LCO
[REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-2-82

BY SP-7 JRC/col
LEGAL COUNSEL

84 OCT 8 1976

PAGE TWO MM 66-189C-478) E F T O

ALL SPECIAL AGENTS ASSOCIATED WITH "WEATHERMAN SQUAD"
AND THAT NO PARTICULAR ALLEGATIONS HAD BEEN MADE AGAINST
SA [REDACTED]

SA [REDACTED] CAN ONLY FURNISH SECOND HAND INFORMATION.

LEGAL COUNCIL SECTION REQUESTED TO ADVISE AS TO
REQUIREMENT FOR TRAVEL ON GTR TO WASHINGTON, D.C., AND
LEGAL COUNCIL AVAILABLE TO SA [REDACTED] IF DESIRED.

BT

2711728 HQ 1

ALL
(L/K)
(7/KC)

10-7-69

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 9-9-76

FROM : Legal Counsel

SUBJECT: SURREPTITIOUS ENTRIES

Assoc. Dir.
Dep. AD-Adm.
Dep. AD-Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
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Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

SYNOPSIS AND DETAILS:

Attached is a memorandum I received from the Assistant Attorney General, Civil Rights Division, and its enclosures, a letter dated September 7, 1976, from the Attorney General to the Assistant Attorney General, Civil Rights Division, and a copy of a memorandum from the Director to the Attorney General dated September 3, 1976, captioned "Surreptitious Entries Classification Matter."

The Director's memorandum to the Attorney General of September 3 requested advice concerning the appearance of Special Agent [REDACTED] before a grand jury pursuant to a subpoena and the possible conflict between his potential testimony and restrictions imposed by the Code of Federal Regulations and Executive Order 11652. The Attorney General's letter to Mr. Pottinger dated September 7 appears to provide the resolution of the problem described in the Director's memorandum.

RECOMMENDATION:

That Special Agent [REDACTED] be advised that the letter from the Attorney General to Mr. Pottinger appears to have resolved the potential conflict between his testimony and the restrictions imposed by the Code of Federal Regulations and Executive Order 11652.

Enclosure

- 1 - Mr. Adams
- 1 - Mr. Long
- 1 - Mr. Mintz

JAM
(5)

REC-37

EX-113

73
22 SEP 1976

APPROVED:

Assoc. Dir.

Dep. AD-Adm.

Dep. AD-Inv.

Asst. Dir.:

Adm. Serv.

Ext. Affairs

Fin. & Pers.

Gen. Inv.

Ident.

Inspection

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Laboratory

Legal Coun.

Plan. & Eval.

Rec. Mgmt.

Spec. Inv.

Training

Telephone Rm.

Director Sec'y

Legal Coun.

Plan. & Eval.

Rec. Mgmt.

Spec. Inv.

Training

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Rec. Mgmt.

Spec. Inv.

Training

Telephone Rm.

Director Sec'y



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
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☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
CIVIL RIGHTS DIVISION was/were forwarded to them for direct response to you.

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 X FOR THIS PAGE X
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The Attorney General

September 3, 1976

Director, FBI

SURREPTITIOUS ENTRIES
CLASSIFICATION MATTER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SPJ/ten/cal

ALL
(4)(3)
(4)(6)
(7)(C)

In connection with the Civil Rights Division investigation into surreptitious entries, certain Agents were subpoenaed to appear before a grand jury impaneled in the Southern District of New York and the attorney for these Agents is attempting to quash the subpoenas for various reasons, including the fact that members of the grand jury have not been cleared to receive classified information and the Agents are not able to reveal such classified information pursuant to national security regulations.

Special Agent [REDACTED] has been subpoenaed to appear before a grand jury in Washington, D. C., on September 3, 1976, and although his attorney attempted to defer his appearance pending resolution of the motion in New York such action was not agreed to by the Civil Rights Division.

[REDACTED] has advised that because the Weatherman investigation has been held by the Department Review Committee to be a national security investigation, and sources and methods of intelligence related thereto are classifiable, he is requesting that you be asked to resolve the conflict between his subpoena to testify and restrictions imposed by Title 28, CFR, Sections 17.3 and 17.04 and Executive Order 11652. In view of the dilemma and after discussing the matter with his attorney, he has advised he intends to decline to testify and has furnished a copy of the statement he intends to make as the reasons for his declination.

In order that this Bureau may appropriately advise [REDACTED] and other employees confronted with this situation, I respectfully request your early consideration of this matter.

1 - The Deputy Attorney General

1 - Assistant Attorney General
Civil Rights Division

62 75
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Date of Mail 9/20/76

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/20/83 BY SP4ELW/cal

Has been removed and placed in the Special File Room of Records Branch.

See File 66-2554-7530 for authority.

Surreptitious Entries

Subject JUNE MAIL - ~~TECHNICAL SURVEILLANCE - GENERAL~~

Removed By 56 MAR 14 '80
File Number 62-117166-23X
~~66-8160-3965X~~

Permanent Serial Charge Out

MI0339 2720015

RR HQ

DE MI

R 280015Z SEP 76

FM MILWAUKEE (66-2236)

TO DIRECTOR ROUTINE

BT

CLEAR

ATTENTION LEGAL COUNSEL DIVISION

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF SURREPTITIOUS
ENTRIES.

SA [REDACTED] WAS TELEPHONICALLY CONTACTED BY
ATTORNEY DANIEL BELL, CIVIL RIGHTS DIVISION, US DEPARTMENT
OF JUSTICE AND REQUESTED TO APPEAR SEPTEMBER 29, 1976 FOR
INTERVIEW RE KNOWLEDGE OF WEATHERMAN INVESTIGATIONS NEW YORK
CITY, NEW YORK. BELL ADVISED SA [REDACTED] ENTITLED TO ATTORNEY
AT INTERVIEW IF DESIRED.

SA [REDACTED] INVOLVED IN LIMITED ACTIVITIES WEATHERMAN SQUAD
NEW YORK CITY DUE TO TRANSFER SHORTLY AFTER SQUAD FORMED IN
1970. IN VIEW OF THIS, NO ATTORNEY DESIRED. SA [REDACTED] WILL
HONOR REQUEST CIVIL RIGHTS DIVISION, UACB.

BT

ALL INFORMATION CONTAINED

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DATE 3-2-82 BY SP4 JRM/kal

REC-86

EX-113

OCT 1 1976

14 OCT 14 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Dep. A.D.-Adm.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	_____
Adm. Serv.	_____
Ext. Affairs	_____
Fin. & Pers.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
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Laboratory	_____
Legal Coun.	_____
Plan. & Eval.	_____
Rec. Mgmt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

NYO 878 2372103Z

PP HQ

DE NY

P 242033Z AUG 76

FM NEW YORK

TO DIRECTOR, FBI PRIORITY

BT

E F T O

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATIONS OF SURREPTITIOUS
ENTRIES

SA [REDACTED] OF THE NEW YORK OFFICE (NYO) HAS
ADVISED HIS ATTORNEY [REDACTED] HAS REQUESTED CERTAIN
INFORMATION FROM [REDACTED] WITH REGARD TO CAPTIONED MATTER.

IN CONNECTION WITH THIS REQUEST, SA [REDACTED] HAS ASKED
THAT THE EMPLOYMENT AGREEMENT (FD-291) SA [REDACTED] SIGNED UPON
HIS ENTRY INTO THE BUREAU BE WAIVED. THIS WILL AFFORD SA
[REDACTED] AN OPPORTUNITY TO PROVIDE HIS ATTORNEY WITH INFORMATION
NECESSARY FOR A COMPLETE UNDERSTANDING OF CAPTIONED MATTER.

BT

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DATE 3-2-82 BY SP4JRM/cal

REC-64
EX-10

22 SEP 22 1976

4 OCT 19 1976

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PP HQ

DE AL

P 81645Z SEPT 76

FM ALBANY (66-2939) (SAC'S OFFICE)

TO DIRECTOR (PRIORITY)

BT

CLEAR

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF
SURREPTITIOUS ENTRIES

ON SEPTEMBER 8, 1976, SA [REDACTED] WAS
SERVED BY U.S. MARSHAL, SYRACUSE, NY, WITH SUBPOENA TO
TESTIFY AT UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF
NEW YORK, AT 10 A.M., SEPTEMBER 9, 1976, IN THE CASE OF
QUOTE GRAND JURY [REDACTED] CIVIL RIGHTS ACTION
UNQUOTE.

SA [REDACTED] THROUGH HIS ATTORNEY [REDACTED] WILL
ATTEMPT TO HAVE FEDERAL GRAND JURY TESTIMONY PUT FORWARD TO
SEPTEMBER 13-14, 1976.

BUREAU WILL BE KEPT ADVISED.

BT

Assoc. Dir.	
Dep. Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Off. Liaison	
Public Affs.	

ALL
(L/K3)
(L/K6)
b/KC)

REC-64

SEP 16 1976

ALL INFORMATION CONTAINED
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DATE 3-2-82 BY SP4JEM/cal

84 OCT 19 1976

PERS. REC. UNIT

1 - Mr. J. B. [unclear]
1 - Mr. A. J. Decker
1 - Mr. T. W. Leavitt

Assistant Attorney General
Civil Rights Division

September 28, 1976

Director, FBI

1 - Mr. J. A. Mintz
1 - Mr. D. W. Moore
1 - Mr. R. J. Gallagher
(Attn.: J. O. Ingram)
1 - Mr. T. J. McNiff
1 - [REDACTED]

*6/6
6/6*

SURREPTITIOUS ENTRIES

Reference is made to Bureau letter to Assistant Attorney General, Civil Rights Division, dated September 20, 1976, captioned as above, which enclosed three copies of a "Top Secret" memorandum dated August 20, 1976, prepared by this Bureau concerned with the subject matter of foreign influence on the Weather Underground Organization (WUO).

Enclosed herewith are two copies of a letterhead memorandum captioned "Prairie Fire Organizing Committee (PFOC) - Foreign Influence."

This memorandum is being furnished to the Department for its review and analysis with respect to the nature and extent of foreign contacts and influence on the PFOC, which is the above-ground support organization of the WUO.

Enclosures - 2

~~66-8160 - 35~~

ST-108
1 - 100-481695 (PFOC)

(12)

*(6/6)
(2/6)*

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

MAILED 10
SEP 29 1976
FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4 JMK/al

u/a

RECORDED

OCT 20 1981

CONFIDENTIAL MATERIAL ATTACHED

MAIL ROOM ☒

TELETYPE UNIT ☐

Airtel

1 - Mr. Long

9/30/76

To: SAC, Mobile

PERSONAL ATTENTION

From: Director, FBI

SA [REDACTED] **ALL (K6) LXC**
TEMPORARY ASSIGNMENT TO
SURREPTITIOUS ENTRY INVESTIGATION

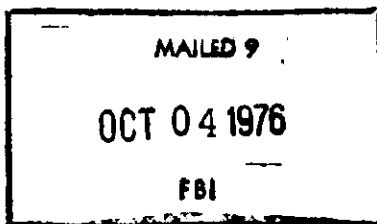
SA [REDACTED] was temporarily assigned to the
Surreptitious Entry Investigation in Washington, D. C.
SA [REDACTED] is being released from this assignment
today, 9/30/76. His performance on this sensitive
investigation was excellent in all respects.

- 1 - Personnel File of [REDACTED]
- 1 - Finance and Personnel Division

REC 32

5 OCT 12 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
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Telephone Rm. _____
Director Sec'y _____



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-2-82 BY SP4 JRM/cal

MAIL ROOM ☐ TELETYPE UNIT ☐

84 OCT 26 1976

FBI/DOJ

Airtel

1 - Mr. Long

9/30/76

To: SAC, Savannah

From: Director, FBI

SA [REDACTED] **ALL**
TEMPORARY ASSIGNMENT TO
SURREPTITIOUS ENTRY INVESTIGATION

PERSONAL ATTENTION

(LVC, GXC)

SA [REDACTED] was temporarily assigned to the
Surreptitious Entry Investigation in Washington, D. C.
SA [REDACTED] is being released from this assignment today,
9/30/76. His performance on this sensitive investigation
was excellent in all respects.

- 1 - Personnel File of [REDACTED]
1 - Finance and Personnel Division

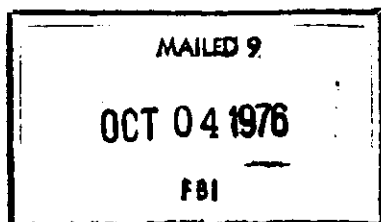
7
-6-

ALL INFORMATION CONTAINED
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DATE 3-2-82 BY SP4JRM/cal

REC 32

62-117166-78

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____



84 OCT 26 1976 MAIL ROOM ☐ TELETYPE UNIT ☐

FBI/DOJ

Airtel

1 - Mr. Long

10/1/76

To: SAC, Indianapolis

From: Director, FBI

PERSONAL ATTENTION

SA [REDACTED] **ALL**
TEMPORARY ASSIGNMENT TO
SURREPTITIOUS ENTRY INVESTIGATION **(K/C), (D/C)**

SA [REDACTED] was temporarily assigned to the
Surreptitious Entry Investigation in Washington, D. C.
SA [REDACTED] is being released from this assignment today,
10/1/76. His performance on this sensitive investigation
was excellent in all respects.

- 1 - Personnel File of [REDACTED]
- 1 - Finance and Personnel Division

-6-

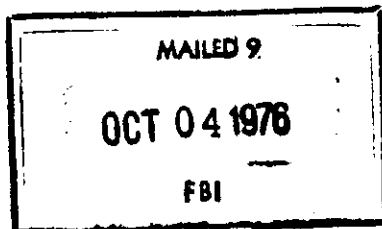
Assoc. Dir.	Ext. Affairs	Ident.
Dep. AD Adm.	Files & Com.	Intell.
Dep. AD Inv.	Gen. Inv.	Spec. Inv.
Asst. Dir.:	Ident.	Training
Adm. Serv.	Intell.	

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HEREIN IS
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REC 32
EX-105
-79

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:

- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____



MAIL ROOM ☐ TELETYPE UNIT ☐

84 OCT 26 1976